



# CITY OF SNOHOMISH

*Founded 1859, Incorporated 1890*

116 UNION AVENUE □ SNOHOMISH, WASHINGTON 98290 □ TEL (360) 568-3115 FAX (360) 568-1375

## NOTICE OF REGULAR MEETING

### SNOHOMISH CITY COUNCIL

in the  
George Gilbertson Boardroom  
1601 Avenue D

**TUESDAY**  
**March 15, 2016**  
**7:00 p.m.**

### AGENDA

*Estimated  
time*

- |      |    |   |
|------|----|---|
| 7:00 | 1. | <b>CALL TO ORDER</b>  |
|      | a. | Pledge of Allegiance  |
|      | b. | Roll Call   |
|      | 2. | <b>APPROVE AGENDA</b> contents and order  |
|      | 3. | <b>APPROVE MINUTES</b> of the meetings of March 1, 2016                         |
|      | a. | Council Workshop ( <i>P.1</i> )   |
|      | b. | Regular Meeting ( <i>P.9</i> )  |
| 7:05 | 4. | <b>CITIZEN COMMENTS</b>   |
| 7:15 | 5. | <b>PRESENTATION</b> – Historic Downtown Snohomish Annual Report ( <i>P.31</i> ) |
| 7:25 | 6. | <b>PUBLIC HEARING - ADOPT</b> 2016 Stormwater Management Plan ( <i>P.41</i> )   |
|      |    | 1) Staff presentation   |
|      |    | 2) Council's questions of staff   |
|      |    | 3) Citizens' comments   |
|      |    | 4) Close citizens' comments   |
|      |    | 5) Council deliberation and action – <b>PASS</b> Resolution 1341                |
|      | 7. | <b>ACTION ITEMS</b>   |
| 7:40 | a. | 2015 Transportation Master Plan – <b>ADOPT</b> Ordinance 2307 ( <i>P.63</i> )   |

*Continued Next Page*

- 7:45        b.        **AMEND** Traffic Impact Fees – **ADOPT** Ordinance 2290 (*P.131*)
- 7:50        c.        2015 Comprehensive Plan Update – **ADOPT** Ordinance 2308 (*P.145*)
- 7:55    8.        **DISCUSSION ITEM** – Unnamed Right-of-Way (east of Cypress Avenue)  
Vacation Request (*P.157*)
- 8:10    9.        **CONSENT ITEMS**
- a.        **AUTHORIZE** payment of claim warrants # 5832 through #58390 in the  
                 amount of \$543,952.03 issued since the last regular meeting (*P.161*)
- b.        **AUTHORIZE** City Manager to Sign Agreement with Sky Valley  
                 ABATE for the Motorcycle Show (*P.171* )
- c.        **AUTHORIZE** City Manager to Sign Professional Services Agreement for  
                 Sewer Maintenance Management Mobile Application – Phase II (*P.179*)
- d.        **CONFIRM** Mayor’s Appointments to Economic Development  
                 Committee (*P.195*)
- 8:20    10.       **OTHER BUSINESS/INFORMATION ITEMS**
- 8:30    11.       **COUNCILMEMBER COMMENTS/LIAISON REPORTS**
- 8:40    12.       **MANAGER’S COMMENTS**
- 8:50    13.       **MAYOR’S COMMENTS**
- 9:00    14.       **ADJOURN**

**NEXT MEETING:** Tuesday, April 5, 2016, regular meeting at 7 p.m., in the George Gilbertson Boardroom, Snohomish School District Resource Center, 1601 Avenue D.

***The City Council Chambers are ADA accessible. Specialized accommodations will be provided with 5 days advanced notice. Contact the City Clerk's Office at 360-568-3115.***

***This organization is an Equal Opportunity Provider.***

## **AGENDA ITEM 3a**

### **Snohomish City Council Workshop Minutes March 1, 2016**

1. **CALL TO ORDER:** Mayor Guzak called the Snohomish City Council workshop to order at 6:00 p.m., Tuesday, March 1, 2016, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

#### **COUNCILMEMBERS PRESENT**

Derrick Burke  
Karen Guzak, Mayor  
Tom Hamilton  
Dean Randall  
Michael Rohrscheib  
Lynn Schilaty  
Zach Wilde

#### **STAFF PRESENT**

Larry Bauman, City Manager  
Jennifer Olson, Finance Director  
Owen Dennison, Planning Director  
Steve Schuller, Public Works Director  
John Flood, Police Chief  
Pat Adams, City Clerk

#### **ENGINEERING/WASTEWATER DIVISIONS**

Yosh Monzaki, City Engineer  
Tim Jackson, Public Works Utilities Manager  
Max Selin, Senior Utilities Engineer  
Duane Leach, Sr. Wastewater Treatment Plant Operator  
Karen Allen, Assistant Plant Operator/Lab Tech  
Frank Schorsch, Wastewater Treatment Plant  
Koi Simpson, Wastewater Collections  
Chip Miller, Wastewater Collections

2. **DISCUSSION ITEM** – Wastewater Utility System and Rate Analysis Update

Mr. Schuller stated the workshop presentation will provide an update on the City's wastewater utility and will focus on four areas:

- 1) Environmental Compliance Improvements;
- 2) 10-year Capital Improvement Plan (CIP);
- 3) Wastewater Rate Options for 2017, 2018 and 2019; and
- 4) Next Steps, including Public Outreach and future rate Resolution.

He noted there were two 2010 Ecology Agreed Orders with the State. One of them directed the City's wastewater should go to Everett for treatment because the City failed to show that we were able to treat our own sewage effectively, and we were the number one violator in the Northwest Region. Last year, the City received a Notice of Compliance and the City is no longer under any Agreed Orders.

In 2003, the City was under a 2003 U.S. District Court Consent Decree. The City starting violating around 1999 and was sued by a third party environmental firm. A number of years passed, and there was a settlement with the court in the form of the Consent Decree. The Decree was dismissed with prejudice. The dismissal was effective in April 2015.

Lastly, the City had a \$44 million project to send our wastewater to Everett. The project was ready to commence. However, in the Fall of 2013, staff put the project on hold and it was officially cancelled in May 2015.

### **AGENDA ITEM 3a**

Those three issues are now completely resolved.

Councilmember Hamilton noted staff did amazing work on the wastewater plant.

Mr. Schuller discussed the City's environmental record. In 2012, the City installed a new system called bacteria hotels for \$ 4.5 million. The City received a State proviso grant for \$3.5 million of the total \$4.5 million cost. Bacteria hotels had never been installed before in Washington State. Over a four year period from 2006 to 2009, the City had 109 permit exceedences. This is what made the City one of the number one violators in the northwest region with the Department of Ecology. Over the last four years, the plant had 3 permit exceedences. It is a tremendous improvement.

This past year, the City had its first perfect year of compliance with zero permit exceedences. This is the first time this has ever happened in at least 20 years going back to all the online records Ecology has back to 1995.

Mr. Schuller mentioned this is why he invited the Engineering and Wastewater staff to attend the workshop, so he can thank them. They are a big part of the success. Although, he discussed the bacteria hotel project, it would take several hours to cover all the projects staff focuses on every day. He extended his sincere thanks and appreciation to staff.

The Council provided staff with a round of applause.

Councilmember Schilaty noted she was distressed and concerned over the regulatory issues when it first arose and it appeared incomprehensible how the problem would be solved. She is very impressed and pleased the City has reached this level of compliance. She noted this is result of staff's hard work.

Mr. Schuller continued with the wastewater plant's operational update. In the past, over 90% of the plant's permit exceedences were two parameters, ammonia (nitrogen) and Carbonaceous Biochemical Oxygen Demand (CBOD) which is the organics.

The City's permit limit for nitrogen is 29 pounds per day (monthly average). In July 2006, the plant averaged 174 pounds every single day for the entire month. There was one day when it was 217 pounds. During one month in July, there were 12 permit exceedences. This year, the plant averaged 0.72 pound per day.

Mr. Schuller discussed costs and project issues. He reviewed the City services as a whole and noted that 25% of what the City does is wastewater, 20% is law enforcement, 14% water, 12% transportation, and 10% solid waste. Those five services alone make up over 80% of City services.

Wastewater is a major expense for citizens. It's one of the most expensive services the City provides. Rate revenues over the last year is \$4.4 million. The growth revenues that come in vary from year to year. Operating expenses are projected to be \$1.9 million. He noted that it was \$2.02 million in 2015, so expenses are decreasing. Again, staff needs to be credited for



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that. There are also capital and associated debt costs. Those vary over the years too. The estimated ending fund balance is expected to be \$7.1 million.

Mr. Schuller addressed the CSO separation projects. In the City's historic area, there are defined groups. In the street, there is only one pipe that conveys both sanitary sewer (from inside homes and businesses) and stormwater (from street catch basins) to the wastewater treatment plant. This is the way it was done in the past. Over the last forty years, this is not the way to do it. There is a separating system. You have a storm system for your storm drain in the street and a separate sanitary sewer line. The City has about 25 acres for our combined systems. In 2010 and 2011, the City completed the CSO pump station, and extended the storm trunkline from Avenue H all the way to the driveway of the plant. The City completed an overlay project using federal and state money. So now the City has a brand new empty 30" trunkline that goes all the way from Avenue E to the plant. The City has a project planned for 2017, extending the trunkline from the plant driveway through the plant and into the stormwater treatment. The overall plan is to separate a portion of the storm flows from the wastewater plant, and convey them directly to the 25-acre storm lagoon (*a.k.a. the Riverview Wildlife Refuge*) for wetland treatment.

This is one of the more expensive projects and difficult to obtain grant money to complete. After the trunkline is built, which is tentatively planned to be completed in 2017, staff will want to place new storm lines down Avenues H, I and up Avenue J. A line already exists on Avenue F and was installed when the high school remodel was completed. The City will then want to capture all the storm water and send it to the trunkline and to the stormwater treatment system instead of the wastewater treatment plant. This can drive rates up.

Mr. Schuller reviewed the draft ten-year Capital Improvement Plan from 2017-2026. The cost is approximately \$16 million. Due to the rapidly changing regulations regarding wastewater treatment, these preliminary costs can change. The lagoon liner is doing well. The City spent approximately \$800,000 on the biosolids project which was completed in 2015. Other large projects involved disinfection, tentatively scheduled for 2019 at \$900,000. There is the filtration project scheduled in 2020 for \$2 million. The City currently uses a sand filter that does the fine filtration of the particles. However, it is over 20 years old and will be replaced. The CSO separations will cost \$1.5 million for just the sewer portion, and another 1.5 million for the stormwater, at a total of \$3 million to be invested in the CSO separations in 2018, 2021 and 2024. There are two lift stations that need upgrading for \$950,000 in 2020 and 2025. There are a lot of smaller projects for wastewater collections estimated at \$350,000 annually and treatment projects at \$250,000 annually.

Councilmember Burke was curious about the effectiveness of the technology. He wants to know if there is any new technology staff is excited about.

Mr. Schuller replied that technology and regulations are changing so quickly. For example, the disinfectant. The City was going to go hydrochloric acid, which is a liquid disinfectant. City staff did some research and peracetic acid is something they are looking at. It's used a lot in Europe. It is used in North America, but not in the wastewater industry. So, the City

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proposed it to the Department of Ecology and they are not familiar with it. So, technology is changing rapidly.

Mr. Schuller acknowledged there are future regulatory unknowns which will impact the Capital Improvement Plant. There are FEMA levee regulations coming out. There is a new Department of Ecology fish consumption rule expected this year. Also, temperature is constantly being discussed. Every five years, the City needs to re-negotiate a new NPDES permit. The new permit application is due to the Department of Ecology on May 1, 2017. At that time, the City will be made aware of any new regulations.

In the 10-year CIP, there is limited funding for new regulations. One project was referenced called the FEMA levee project, but there are actually projects and issues staff can't anticipate and it's not related to the law. The City has no funds for natural disasters. If we have a large earthquake or some other natural disaster, we're going to primarily rely on FEMA funding. Climate change is another issue and relates to the CSO separations. This past December was the eighth wettest month on record. The plant almost exceeded its capacity, which would have been a permit violation. We know climate change can have a significant impact on our plant.

Mr. Schuller provided an overview of the wastewater debt. He noted the City will have no bonded debt in the wastewater system starting in 2017. The City will have five public works trust fund loans. Three of those loans are for the trunkline, one is for the bacteria hotels, and one is for the Combined Sewer Overflow (CSO) separation project. In 2017, the total annual payment is \$750,000. In 2025, \$304,000 and in 2029, there is no debt. One issue to note is the Washington State legislature has basically gutted the Public Works Trust Fund which has been used for decades to help fund City projects. Snohomish has been one of their key clients. Due to this funding being eliminated, the City needs to assume we now have to obtain municipal bonds and incur that debt.

Mr. Schuller explained the City Council approved a zero (0%) percent increase in 2014, 2015 and 2016. When the City completed its study in January 2014, staff looked at 2013 rates and used the average at that time, which was 12 CCF. At that time, the bi-monthly rates for the City of Monroe was \$145, Lake Stevens Sewer District was \$150, and Snohomish was \$187. However, Snohomish was planning on going to Everett and that would have increased rates by approximately 90% in addition to the \$187 bi-monthly rate. Snohomish's sewer rate would have been more than double that of our neighbors.

Mayor Guzak noted Snohomish only has 3,500 rate payers and Lake Stevens and Monroe have many more rate payers.

Mr. Schuller noted that population growth is dramatic related to rates, because not only do developers have to pay money to build new single family homes with connection fees, but then you have those additional rate payers, and the more you spread those costs out makes a huge difference.

In 2015, Snohomish rates decreased and were less expensive than Monroe.

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Mr. Schuller discussed the wastewater rate options.

- 1) Increase rates by the cost of inflation (about 2%) each year. This would calculate to 2% in 2017, 2% in 2018 and 2% in 2019. This will leave the City with an estimated ending fund balance amount reserved for capital of \$8,069,202 at the end of 2019, and available for future wastewater capital infrastructure improvements. Because of an approximate \$2 million WWTP filtration upgrade project planned for 2020, the ending fund balance amount reserved for capital drops to \$6,240,940 at the end of 2020.
- 2) Keep rate increases at 0% (zero). This would reflect 0% in 2017, 0% in 2018 and 0% in 2019. This is the recommendation of the *FCS Group* rate study and City Council workshop conducted in January 2014. This will leave the City with an estimated ending fund balance amount reserved for capital of \$7,804,502 at the end of 2019, and available for future wastewater capital infrastructure improvements. Because of the planned filtration project, the ending fund balance amount reserved for capital drops to \$5,887,972 at the end of 2020.
- 3) Rate Reduction of 5% in 2017. This calculation would be -5% in 2017 (*5% reduction in rates*), 0% in 2018 and 0% in 2019. This will leave the City with an estimated ending fund balance amount reserved for capital of \$7,142,754 at the end of 2019, and available for future wastewater capital infrastructure improvements. Because of the planned filtration project, the ending fund balance amount reserved for capital drops to \$5,005,641 at the end of 2020.
- 4) Rate Reduction of 10% in 2017. This would be -10% in 2017 (*10% reduction in rates*), 0% in 2018 and 0% in 2019. This will leave the City with an estimated ending fund balance amount reserved for capital of \$6,481,006 at the end of 2019, and available for future wastewater capital infrastructure improvements. Because of the planned filtration project, the ending fund balance amount reserved for capital drops to \$4,123,310 at the end of 2020.

With each option, the City begins to see reduced ending fund balances. These estimates also assume conservative growth assumptions. He noted that maybe the City should plan for a recession, but the Seattle economy is doing well currently and we could do better than the conservative rate estimates.

Councilmember Hamilton noted if there is a recession, the impact is slower growth.

However, enterprise fund revenues will not change, just the connection fees.

Mr. Schuller stated based on new construction in 2015, approximately \$1 million came from growth. It's significant.

Snohomish's bi-monthly bill is \$187, multiply that by 90% and we are reducing that by 10%, would mean our bi-monthly rate would drop to \$168. That would be a 10% savings, which would be \$18.70 every two months for about \$112 for a typical residence customer.

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When looking at a base rate of 4 CCF, if two seniors are living in a home and not using much water, the base rate would drop from \$139 down to \$125.

In 2017, when comparing Snohomish with Lake Stevens and Monroe's bi-monthly rates, Monroe would be at \$189, Lake Stevens would go to \$170 and Snohomish would be at \$168. Snohomish would be less expensive than Lake Stevens and Monroe.

Mr. Schuller discussed the City of Everett sewer rates. Everett looked at three options, and selected the least expensive option. Based on that least expensive option, they are announcing an increase of 5 to 10 percent each year and their rates could go up to \$220 bi-monthly by 2024. Everett's rate is currently low at approximately \$100 and Snohomish is up to \$168. However, based on Option 4 at a 10% reduction over a six year period, Snohomish will be less expensive than Everett.

In summary, the wastewater plant had the Consent Decree and Department of Ecology Orders. The City is now considered an innovative and recognized leader in the environment and has received a number of awards for the CSO lift station and the wildlife refuge, and has had its first perfect year of compliance. Typically, when the City completes a rate resolution, it will include all of the utilities together. However, staff felt it was important that we address only the sewer rates in order to communicate this positive message to the community.

Later in the year, staff will prepare a utility rate resolution for Council evaluation and adoption that will set rates for the next three year period (2017, 2018 and 2019).

Mayor Guzak stated the City rates looked favorable with the 10% reduction, but also wanted to consider and discuss the other options presented with Council.

Councilmember Randall supports the 10% reduction. He noted sewer rates were increased in Snohomish by 11.1% three years in a row during years 2011, 2012 and 2013. This was to build the pipeline to Everett. In 2013, when he was campaigning for re-election, the most common complaint by citizens was the high cost of utility services. Two families told him specifically they were selling their homes because of it and it was a very expensive place to live. Even with the 10% reduction, we still have over \$4 million at the end of 2020.

Councilmember Schilaty also supports the 10% reduction option for similar reasons as Councilmember Randall. She has great confidence in City staff as they have made significant strides with the plant. She also has optimism and hope for technology advances. Overall, she feels very optimistic and supports the 10% reduction.

Councilmember Hamilton would rather watch those reserves for 2020, and is concerned about the target number. He states there are a lot of issues to consider that are unknowns at this point.

Mr. Bauman responded that is the challenging part, as staff cannot identify what those future costs may be.

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Mayor Guzak reminded Council they are looking at a three year rate. She is in favor of the 10% reduction.

Councilmember Schilaty noted it is a risk analysis and Council can make course corrections along the way if necessary. She feels confident with the 10% reduction.

Mr. Bauman summarized that it will be staff's intent to return to Council showing utility rates at a 10% rate reduction for 2017.

Mayor Guzak thanked staff for their excellent work.

3. **ADJOURN** at 6:55 p.m.

APPROVED this 15<sup>th</sup> day of March 2016

CITY OF SNOHOMISH

ATTEST:

\_\_\_\_\_  
Karen Guzak, Mayor

\_\_\_\_\_  
Pat Adams, City Clerk

**AGENDA ITEM 3a**

## **AGENDA ITEM 3b**

### **Snohomish City Council Meeting Minutes March 1, 2016**

1. **CALL TO ORDER:** Mayor Guzak called the Snohomish City Council meeting to order at 7:00 p.m., Tuesday, March 1, 2016, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

#### **COUNCILMEMBERS PRESENT**

Derrick Burke  
Karen Guzak, Mayor  
Tom Hamilton  
Dean Randall  
Michael Rohrscheib  
Lynn Schilaty  
Zach Wilde

#### **STAFF PRESENT**

Larry Bauman, City Manager  
Grant Weed, City Attorney  
Jennifer Olson, Finance Director  
Owen Dennison, Planning Director  
John Flood, Police Chief  
Pat Adams, City Clerk

2. **APPROVE AGENDA** contents and order:

Mayor Guzak corrected Agenda Item 5a, changing Ordinance 2296 to Ordinance 2301.

**MOTION** by Rohrscheib, second by Randall, to approve the corrected agenda. The motion passed unanimously (7-0).

3. **APPROVE MINUTES** of the regular meeting of February 16, 2016.

Mayor Guzak stated Mr. Morgan Davis provided the City Council with notification of a requested change to the February 16, 2016 minutes. The change involved acknowledging a handout Mr. Davis distributed to her and Councilmember Hamilton.

Councilmember Hamilton thanked Mr. Davis for providing him with the August 2014 meeting minutes. He felt it related to remarks he made at a previous meeting questioning the January 30 commentary in the Everett Herald. He stated the minutes confirmed Council was looking at options for the Carnegie building. There were some suggestions that a new addition could be built on, and if council chambers were added, it might be 2.5 million dollars. However, it should be noted Council discussed the matter and did not act upon it.

Mayor Guzak and Councilmember Hamilton agreed to amend the February 16, 2016 meeting minutes to reflect Mr. Davis distributed a handout to Mayor Guzak and Councilmember Hamilton.

**MOTION** by Hamilton, second by Rohrscheib, to approve the amended minutes. The motion passed unanimously (7-0).

4. **CITIZEN COMMENTS**

**Morgan Davis, 206 Avenue I**, stated he is pleased Councilmember Hamilton mentioned that Council took no action on July 15, 2014. He noted the minutes confirm staff looked at a variety of options including demolishing the 1968 annex and replacing it with a footprint. He noted City staff also wanted to know if the Council was interested in moving forward with

### **AGENDA ITEM 3b**

the concept and refining the numbers. The cost would be approximately 2 million dollars. The design work, permitting, sales tax, furnishings, audio, visual and contingency costs would need to be added. At that meeting, Mr. Davis said he and Melody Clemans spoke to the subject. She supported it and Mr. Davis opposed it. Mr. Davis continued to read from the minutes that the foundation was in wholehearted support of staff's recommendation and asked the Council for approval to go forward. Not stopped. Not veto. Not dead on arrival. According to the minutes, Mayor Guzak asked what kind of funding ideas staff had if the City completed the project at 2.5 million. That is where the 2.5 million came from which was referenced in the Herald article. He stated nobody said the City spent that money, just that it was proposed and the Council approved the concept. He indicated at that time, the Mayor suggested funding it with councilmatic bonds and that it would be five years before construction would happen, so there was plenty of time to think about it. Mayor Guzak was excited. She supported continuing to look at this prospect. The funding would come later. Even Councilmember Randall saw value in the community meeting room idea. Councilmember Hamilton appreciated the conceptual idea of going forward. Not dead on arrival like he stated earlier. Finally, Mayor Guzak confirmed Council consensus to continue to look at the concept. This would be a five to ten year investment at about \$250,000 per year. Mr. Davis asked Mayor Guzak to definitively say this is dead on arrival now.

Mayor Guzak responded that the Council has not discussed the topic since the 2014 meeting. It is not on any five or ten year plan.

Mr. Morgan responded it is still open.

**Linda Rautenberg, 210 Sixth Street**, stated she is here on behalf of Mike Coombs who was not able to attend the meeting. Mr. Coombs wrote a letter which was read by Ms. Rautenberg which supported reinstatement of deed restrictions on Averill Field for playground purposes only. She stated the City Manager had the deed restriction lifted in March 2015 from the southern end of Averill Field block where the Boys and Girls Club is now located. It was lifted without any public discussion. It was lifted after ninety-two years to create and allow a commercial use on the parcel, which was exactly what the deed restriction denied. Where was the public notification? What is the Council doing to reinstate the deed protection for playground purposes only? Let's play by the rules whether we like them or not.

Mayor Guzak confirmed the City Council received the letter.

City Manager Bauman commented the concern is the property at Averill Field be protected for parks and recreational use and that is something staff and Council supports.

Mayor Guzak added the School District definition when they transferred the property back to the City were for civic purposes only. So, the City is held to that relative to the School District. There will be additional conversations about this in the future as we address the Hal Moe building and the whole use of the property.



### **AGENDA ITEM 3b**

**Bill Betten, 56 State Street**, spoke regarding the deed restriction. He feels it is very important that the City honor what was given to them ninety-two years ago. It's a real simple process to reinstate the deed restriction. He states we have to be true to people who give the City gifts. If we don't, future generations of people are not going to be as giving. Just because time has passed, the integrity and commitment to the people that give the gifts should not change. Reinstate the deed restriction.

Mayor Guzak stated she would discuss the matter under New Business.

**John Kartak, 714 Fourth Street**, agreed with Bill Betten. When people give a gift to the City, their wishes should be honored. It wouldn't be a park if wasn't for the fact it was given to the City. That is probably how most people in town feel that the deed restriction should be reinstated.

**Rolf Rautenberg, 210 Sixth Street**, read a poem he wrote entitled, City Planning, Cell Towers in Parks and the Wonderful Word of Notification. A copy was provided to the Clerk for inclusion in the official record of the meeting.

#### **5. PUBLIC HEARINGS:**

##### **a. Wireless Communication Regulations – ADOPT Ordinance 2301**

Mr. Dennison explained this hearing was opened on February 16, but due to time constraints, was continued to this meeting. The purpose of the draft ordinance is to address numerous issues with the City's current ordinance regarding regulations for wireless facilities. The current regulations were adopted in 1998 and updated in 2005, with some marginal amendments. The ordinance is essentially the same as the 1998 version. There have been several statutes at the federal level which affect the way the City can regulate and process applications for wireless facilities at the local level. These are not addressed in the current regulations. The current regulations work similarly to the land use regulatory framework through zoning and the conditional use criteria, but don't distinguish between the various options for provision of wireless communication services. More importantly, they do not meet the community's current expectations for how wireless facilities should be implemented.

There are certain federal requirements that have been reviewed with the City Council in the past, and they are very important to this ordinance and to regulation of wireless facilities. Firstly, the City is precluded from unreasonably discriminating between service providers prohibiting or having the effect of prohibiting the provision of personal wireless services. The City is required to act on any application or request to place, construct or modify a wireless communication facility within a reasonable period of time. This has been interpreted by the Federal Communications Commission as a 90-day and 150-day shot clock. That is the time during which a local jurisdiction must process and reach a decision on a wireless application. Any decision to deny must be in writing and supported by substantial evidence in the record. Local jurisdictions are precluded from regulating the placement, construction and modification of personal wireless facilities on the basis of environmental effects of radio frequency emissions provided, that the facilities meet the

### **AGENDA ITEM 3b**

FCC's standards. There are certain types of call locations that are referred to as eligible facilities. According to federal law, the local jurisdictions may not deny and shall approve these facilities. This must occur within a 60-day time period. If not approved within the 60-day time period, they are deemed approved. An eligible facility is one for which a change to an existing tower or bay station does not constitute substantial change. Substantial change has been defined by the FCC and is incorporated in the draft ordinance.

The shot clock for eligible facility requests is a 60-day review, instead of the standard 90-days for call location. As noted, failure to act means that the proposal is deemed granted. There are three shot clocks. The first is the 60-days for the eligible facilities; second is 90-days for all other call locations; and the last is for anything but the call location replacement or removal on an existing wireless tower or bay station.

The assumptions that comprise the draft ordinance were a recognition that the City cannot prohibit or effectively prohibit the provision of personal wireless services. Therefore, even if the community felt it was in their interest to disallow wireless facilities, it is not possible under federal law. The City must allow them to the extent that the community can be served. The City is not allowed to specify particular technologies. We have latitude within our zoning to identify other limitations on scale and design, but we cannot specify technologies. All jurisdictions in the country are under the same regulatory framework as the City. The specific preferences we need to design these requirements are local, and should reflect the interests of the community.

The proposal is a new Chapter 14.242 in the municipal code. It involves selective use of those best practices that we have gleaned from other jurisdictions as well as input from the community and the Planning Commission. To address the community expectations, the City's recommended code has a preference hierarchy, meaning there are four tiers of descending preference in the type and location of facilities. This is based on where these facilities will be the least obvious and visually impactful to the community. Additionally, because the City cannot have the effect of denying the ability for a purveyor to provide the service, there is an exception process, which involves the Hearing Examiner. The three classifications according the shot clock in federal law are incorporated into the draft code as the classifications through which our processes unfold. These are Categories 1 through 3.

As currently recommended by the Planning Commission, there is a potential use of City owned land for wireless facilities. In addition to the standard permit review process outlined in the chapter, because of placement on City-owned lands, it requires City Council authorization to lease that land. This is true of any use on any City-owned property. The draft code section includes subsection 070, which would require a public hearing be held by the City Council prior to making any decision on the lease, use or sale of property for a wireless communication facility. This is a very unusual bit of code, because it puts a requirement on the City and City Council to process requests for lease or use of City property. This is not a short cut to the permit process. This is entirely in addition to it. Any wireless communication facility on public or private land must go through the same approval process.

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The Planning Commission recommends wireless communication facilities be allowed in City parks, subject to a requirement that vegetation removal be the minimum necessary to accommodate the use, installation and ongoing maintenance and it must be screened by existing vegetation for 80% of the height of the facility. The other item to note that is unusual relative to other permit processes is for public notice. The type and impact of the wireless communication facility depends on the tier. Tiers 1 and 2 are those that are most preferred by the community. They are the least conspicuous. Notification would occur for those consistent with a building permit, which is fairly minimal notification. For Tiers 3 and 4 permits, outside of the industrial and business park zones, for any monopole and for the more obtrusive types of permits would require a justification that the more preferred types in Tiers 1 and 2 will not work for the functional needs of the purveyor at the location where the service is needed. Tiers 3 and 4 permit applications would require a citywide mailing of the notice of application to alert all property owners in the City.

The Planning Commission recommends adoption of draft Ordinance 2301 as provided in the agenda packet. However, the Commission also had a secondary recommendation. This is to have the draft amendments reviewed by a professional engineer with expertise in radio frequency technologies. The intent was to ensure that there were no gaps and it was consistent with the federal requirements.

City Council options are to adopt the ordinance as recommended by the Planning Commission, to postpone adoption and direct staff to have expert review, which can include engineering and/or legal review. Public comments have suggested that legal review is as important as engineering review. After the review has occurred, it can be remanded to the Planning Commission in the event there would be some additional modifications to the draft. The third option is to adopt the ordinance with any revisions that the City Council might want to see, including excluding these facilities from public parks.

Mr. Dennison provided an alternative draft ordinance to the City Council. The alternative draft is the same as the current ordinance, except there are two amendments shown prohibiting wireless communication facilities in the public park land use designation. Consistent with policies in the comprehensive plan, all City owned parks are designated public park for the purposes of land use regulations. This modification would allow wireless facilities everywhere it is currently allowed in the code, except in the public park designation. The additional amendment addresses locations on City-owned land. The City owns certain open spaces that are not appropriate for development or active recreation due to steep slopes, wetlands or other environmental constraints. So, this amendment specifies no wireless communication facility can be located on City-owned land intended for public recreation.

Mr. Dennison notes there are no pending applications for wireless facilities before the City. The Verizon proposal at Averill Park was very informative in showing just how bad the City's code currently is. It would be staff's recommendation, at a minimum, to adopt code language as expeditiously as possible to avoid a similar situation as we had last summer.

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Councilmember Hamilton summarized that under the City's current regulations and the draft ordinance before the Council, if somebody makes an application for a wireless communication facility and they want to do it on public land, there would be a process for the applicant to obtain permits for the wireless communication facility, and then there would be a second process where they would have to come before the City Council for authorization for a lease. At that point, the City Council could deny the application.

Mr. Dennison stated that is correct. The one distinction he would add is the draft code would require a public hearing before the decision is made.

Councilmember Randall had a question about the radio frequency engineer. He noted in the proposed ordinance, the City would be able to require the wireless company applicant to hire a radio frequency engineer. The RF engineer would then determine whether or not that facility complied with FCC regulations. He questioned whether the City needed regulations in our particular City ordinance regarding radio frequencies, because it's all based on the FCC's regulations.

Mr. Dennison agreed. The City is precluded from evaluating any application on the basis of radio frequency emissions.

Councilmember Randall stated he is aware the City cannot deny an application because we think they may be harmful.

Mr. Dennison noted that we can confirm it meets the FCC's requirements.

Mayor Guzak questioned the time lines or shot clocks. She understood from Mr. Dennison that he felt the City could meet those time deadlines and there would not be any problems relative to meeting the shot clocks that are shown in the draft ordinance.

Mr. Dennison agreed. He stated 90-days is doable, but would not require a hearing and could be done with the required environmental review within the 90-day period. 150-days is more than adequate given that the City has 120-days for a standard application, even one that goes through quasi-judicial review by the hearing examiner.

Mayor Guzak likes the idea of a citywide mailing for the Tier 3 and 4 projects. She knows the Council is looking to reach out to the community and communicate well. She questioned the cost of a typical citywide mailing.

Mr. Dennison's understanding is it would be several thousand dollars. However, the cost would revert back to the applicant and would be calculated as part of the application fee. There may be some stress on City resources because staff would have to prepare and mail 3,500 postcards to all addresses in the City, but it can be done.

Mayor Guzak stated we have approximately 9,200 residents and 3,500 residencies.

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Councilmember Hamilton clarified if the mailing would be solely within the City or does the mailing go to property owners in the City who don't live in the City.

Mr. Dennison replied the mailing would be solely to property owners. Some may reside outside the City limits.

Councilmember Hamilton stated if somebody lives in an apartment or is renting a home, they would not receive notification by this process.

Mr. Dennison confirmed that is correct. However, staff could require that notification go to each resident. Notification can also be provided via email to anyone who subscribes to the City's ListServe. Additionally, all current land use applications appear in the City Manager's newsletter. The City does have a variety of ways to provide notification and are always looking for more ways to reach out to the community.

Mayor Guzak referenced the map which she stated show existing wireless communication facilities.

Mr. Dennison confirmed the City currently has several towers. One is adjacent to the Bonneville Power Administration. There is a tower inside the firehouse at Second and Avenue A. There is a utility pole extension in front of the police station, and a monopole between Sinclair and Bickford Avenue.

Mr. Dennison added staff has looked into the cost of having the draft ordinance peer reviewed. Staff has also spoken with an engineer with expertise in wireless ordinances and received a quote of approximately \$5,000. Staff has also spoken with a very prominent attorney who was instrumental in the drafting of Spokane's ordinance and received a very rough quote between \$7,000-\$10,000. If the City Council determines the ordinance should be peer reviewed, it is staff's recommendation it be peer reviewed by an attorney with expertise, rather than an engineer. The attorney who worked on the Spokane ordinance also has an on-call engineer with expertise to consult.

Mayor Guzak is aware that Mr. Dennison has conferred with the Spokane ordinance developers and also discussed the moratorium they put in place.

Mr. Dennison commented that he has not spoken with them directly but has viewed the public record. There was a moratorium placed on all new applications for wireless facilities while Spokane was in the process of updating their code. According to the record, their City Attorney recommended against it. The legal guidance and FCC documentation confirms that the shot clock does not stop with a moratorium. The FCC does not recognize moratoriums on wireless communication facilities.

Councilmember Schilaty asked the City Attorney to discuss the implications of a moratorium.

The City Attorney agreed with Mr. Dennison. In the FCC Report and Order, there is specific language that states a moratorium will not postpone or delay the shot clock

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requirements. In practical terms, if someone makes an application for a wireless facility even though the City may have attempted to impose a moratorium, and it results in exceeding the shot clock and is deemed to be unreasonable in the period of time the application is reviewed, it can expose the City to liability. His recommendation is that a moratorium is not a recommended item.

Citizen Comments:

**Bill Betten, 56 State**, spoke to the moratorium. Spokane did implement the moratorium after their attorney advised them not to. They did it for the first 90-days. Nobody applied and then they extended it for another 90-days, which gave them plenty of time to write a good code that protected the City. They had a stakeholder from the community (citizen) that got involved in the process. They ironed out issues that were vague, such as clearing of vegetation. What does that mean? If somebody wants to put a cell tower in Hill Park for instance, clearing of vegetation means the trees are gone. The code is so vague. You can't go in there with a big truck and not do some major clearing of vegetation to erect a 100 foot cell tower. He highly recommends a moratorium and asks the Council to consider it.

**John Kartak, 714 Fourth Street**, stated on the moratorium issue, the City Attorney mentioned the word "reasonable" and that is built into every law that's ever been established. From what he understands, if the City does a moratorium, and then a cell company wants to come in and apply for an application, he thinks if the City is being unreasonable, then the shot clock will likely continue with the FCC. However, he's not so sure if the City is being reasonable in the application of its laws that it won't hold the applicant up some. He noted Mr. Dennison spoke about the technology and the City is not allowed to specify technology according to the FCC. It appears to him, the City is allowed to specify the size of the towers. There are technologies that place really small boxes on top of telephone poles. They are barely noticeable. They apparently do about one-fourth of the coverage of a full size tower. The City should be able to specify something better than a Tier I that is small. On Tier I and II, if we put in towers in City parks, it looks like there will not be any citywide notification. It should be noted Tier I and Tier II have been left out for City parks and the people of Snohomish probably would like to know if a tower is going in any City park. Mr. Kartak wants to know if the City could place a notification also on City utility bills because that would be a great way to also reach renters. It appears the wireless company is expected to hire an engineer to make sure that what the applicant is asking for is legal. If they are the one hiring the engineer, the engineer will represent their interests. Can the City charge them the cost of hiring an engineer who will represent the interest of the City?

Mr. Dennison replied, for example, if the Boys and Girls Club had a wireless facility entirely inside their building, it would be a Tier I facility and would not require public notification. The intent of the tiers is to evaluate applications according to impact on the community. A facility inside an existing building would not be displacing recreational uses. There are certain Tier I and II facilities that are not monopolies that could occur in a public park under the current regulations. The issue of reaching renters via utility bills has been discussed. However, there is some concern that the method may miss a number

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of people. It could be done in addition to the standard notification to reach more people, but renters may or may not receive the utility bill. There is also the potential for electronic bill payment in which case they would not see the notice at all.

Mr. Bauman added it takes two months for the full cycle of utility bills to be distributed. So, this could also potentially affect the shot clock.

Mr. Weed stated written into the FCC Order and Ruling, Section 267, is language with respect to moratorium. The FCC has ruled that the presumptively reasonable time frames apply regardless of moratorium. Any moratorium that results in a delay of more than 90 days for a collocation application, or 150 days for any other application will be presumptively unreasonable. The courts are well suited to access whether such moratoria are in fact reasonable on a case by case basis, including when the moratorium extends for six months or longer.

Councilmember Schilaty asked with a moratorium is the applicant vested under the code that is in place at the time they file the application.

Mr. Weed confirmed that is correct. For example, if an application were submitted today, the code that would apply would be that which is in place today.

In reference to the hiring of a Radio Frequency Engineer, Mr. Dennison responded under Section 160 it provides for third party technical review and the City to hire its own independent reviewer to represent the City to evaluate applications. This would be paid for by the applicant.

**Rolf Rautenberg, 210 Sixth Street**, questioned the moratorium and shot clock. He thinks Mr. Weed addressed this. However, if the City had a moratorium and the City was within the 150-day shot clock period, that would exclude somebody from making an application. He encourages the City Council to immediately put a moratorium into effect. If the moratorium is implemented immediately, our risk is two shot clocks. If there is no application pending right now, there is no risk currently. If the City had a moratorium in place and all of a sudden the situation became urgent because a shot clock were being imposed, the City could expedite by having more City Council meetings or emergency meetings. The Planning Commission, which is obligated to meet twice a month, and only meets once a month could then meet twice a month or a many times as the Council wishes to have a workshop to get something expeditiously accomplished. So, the City could within the framework of the 150-day shot clock turn on a dime and get something done. The City will not be sued for that. He spoke with Spokane. As long as you don't breach the shot clock, it will be fine. He questioned once an ordinance is adopted, it's at least thirty days that follow the adoption before it is effective. So, the thirty days would need to be added in.

Mr. Weed stated if an applicant comes to the City and presents the application fee along with a complete application, and the City responds that it will not accept it and rejects it, the applicant will state the shot clock began at that point in time. So, it does start a

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window of time and the clock ticking even if there is a moratorium. What staff has suggested to Council is the alternative ordinance which is certainly better at addressing the issues and is more updated than the code that is in place currently. There is always an opportunity to amend the code if the Council determines there are other issues it wants to address or address them differently. The time period for adoption of amendments to code or new code is not thirty days. The time period within which a code becomes effective is five days after adoption by the City Council and publication in the City's official newspaper.

Councilmember Schilaty asked Mr. Weed to speak to the City's vulnerability to liability during the shot clock period if we were to enact a moratorium and an applicant came in with a fully completed application and presented it and we rejected it. Her concern is that if we are turning on a dime to get an ordinance in place while that moratorium is in effect, the City could be liable for the applicant vested under the existing ordinance in place at the time of application.

Mr. Weed stated that is a risk associated with any application. If you impose a moratorium and you haven't adopted new code, the code that will apply to an application once vested, is the code that is in place right now. It's hard to quantify what level of risk that might be. Factors to consider are what type of application it is, how complex it is, how much a court might view is a reasonable time to review it. However, because of the shot clock timeframes in the FCC Ruling that Mr. Dennison has been discussing, those timeframes – the 60, 90, 150-day timeframes are going to be the litmus test against which a court will view whether a City has acted reasonably on any application. Mr. Dennison added the federal law limits the City's ability to ask for additional information even if it is something that is required for an application and was omitted. The period to ask for that is the first 30 days. After that, there is no opportunity to request additional information. It will then be reviewed entirely on the merits of what was submitted irrespective of what would have otherwise been required.

Mr. Dennison addressed vegetation concerns. The provision calls for 80% of the height of the facility being screened by vegetation. If there are trees of sufficient density to screen it, it is likely there will be vegetation, whether it be sod or ferns that must be disturbed to locate it. For example, on the Bothell-Everett Hwy in Mill Creek just adjacent to the highway in a stand of tall trees, there is a monopole that you would probably not notice unless you were looking for it because it is dark and surrounded by trees, but there was vegetation removal required to place it there.

**Bill Betten, 56 State Street**, asked two questions. He wanted to know if anybody from the City or Council actually reached out to the City of Spokane personally as opposed to reading online what they've done, and has anybody from the City of Snohomish staff or Council reached out to Washington D.C. with the FCC regarding moratoriums.

Mr. Weed replied he has spoken directly with an attorney expert in wireless communication facilities. His company is located in Colorado and he was directly involved in the Spokane ordinance process. He did not want to suggest this particular



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ordinance is identical to Spokane's, but there were some provisions the City incorporated into its code.

Mr. Dennison stated he did not communicate directly with anybody from the FCC, but would note the FCC issues have very detailed specific orders. He is not aware of the value of approaching individual members of the FCC.

Mr. Weed added the current FCC Ruling and Order adopted by the FCC in October 2014 relating to wireless communication facilities under the Federal Spectrum Act has 288 sections to it. It's a lengthy document and not every section within it applies to our guidelines to draft an ordinance, but they read those that do apply. It's a controlling document along with relevant federal case law decided under the Spectrum Act. He is unsure who he would contact at the FCC to ask questions about an ordinance being drafted on behalf of the City of Snohomish.

Mayor Guzak noted that staff, the Planning Commission and City Council have been working on this ordinance for an extended period of time.

**Linda Rautenberg, 210 Sixth Street**, referenced Verizon's proposal to place a monopole at Averill Field. There were some bare minimum requirements that were required to be accomplished in terms of notification and signage. She stated signage can also serve as notification. There was signage that was poorly visible on an 8 ½ x 11 size piece of paper on a one or two foot stake in the ground. For example, for Tier III and Tier IV applications, she is proposing there be visually acceptable signage on the proposed site.

Mr. Dennison stated language can be added to the ordinance to establish a minimum sized sign for Tier III and IV proposals. He noted the notification sign was replaced with a significantly larger metal reflective sign and can be used in the future. It is the City's practice to use the larger sign, but it can also be made a part of the ordinance.

**Morgan Davis, 206 Avenue I**, wanted to know what the ordinance says about monopoles under a flight path and if airports are addressed in the ordinance. He also sought confirmation that if the City implements an immediate moratorium would that require any cell company to follow the new law if they haven't already filed an application.

Mr. Dennison stated the flight path issues are controlled by federal legislation. Any structure that encroaches into the safety zone requires approval by the FAA.

Mr. Weed reiterated if the City imposed a moratorium at its next meeting in order to take additional time to adopt some other form of code, until such time as it adopts the new code, the code in existence today would be the code that would apply to any application.

**Rolf Rautenberg, 201 Sixth Street**, questioned lighting on top of a monopole especially in a park or residential area. He understands what radio frequency emissions are and he

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understands that the City can't address that. An FAA law would indicate what the City would have to place on top of a tower for air traffic control. He wonders if there is any moderation in bright white strobe lights that might be an appearance factor in a residential area.

Mr. Dennison replied lights are a significant issue where they are required by the FAA. The proposed development standards do note that where aviation safety beacon lights are required by the FAA, red is preferred over white. Lights are outside the control of the City.

Councilmember Hamilton recalled addressing this issue previously. He recalls a citizen having an issue with the white light atop one of the towers in the substation area.

Mr. Dennison stated there was a change from a red to a white light and that created discomfort for a citizen outside of the City who would look down on it. The City attempted to work with the owner to request they revert back to the red light and it was unsuccessful. When it was previously discussed, it was within the context of what the federal regulations were and potential remedies within our code, but it was never moved forward.

Citizen Comments: Closed

Councilmember Rohrscheib stated although the moratorium appeared to be a good alternative, after listening to the City Attorney discussion, he feels adopting Ordinance 2301 is the best option. He doesn't want to be held to the current ordinance.

Councilmember Schilaty agreed with Councilmember Rohrscheib. One of her concerns with the underlying ordinance currently in place and the possibility of rights vesting to an applicant during the moratorium, is the 30-day shot clock to request additional information. She thinks it would be extremely difficult to impose a moratorium with the potential of an applicant coming in and having to turn on a dime as was suggested. She doesn't believe a moratorium would have the desired effect. She would like to look at the modified ordinance which would exclude facilities in parks and additional verbiage regarding signage for Tier III and IV. In the interim, the City could hire an attorney to review the ordinance and should issues arise from the attorney's review, where an engineer might be required, then the City can cross that bridge at that time. As Mr. Weed mentioned, the attorney's rely on engineers to advise them.

Councilmember Burke agrees with Councilmembers Rohrscheib and Schilaty. However, he wanted to ask the City Attorney about the City of Spokane's strategy. He questioned if the City adopted the modified ordinance tonight, and placed a moratorium on top of it, he feels it would allow the City to respond to the unknown. It would give administration an opportunity to rapidly turnaround and respond to specific aspects of an unpopular request.

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Councilmember Randall is in favor of adopting the alternate ordinance that excludes the parks. He stated the City will not be able to wait nine years to do another Ordinance. This is a rapidly evolving industry and new technology is coming on line all the time.

Councilmember Hamilton clarified if the Council adopts Ordinance 2301, with the addition of prohibiting facilities in public parks, this will cover all the tiers. In reference to vegetation, it won't be applicable, because it will be banned from parks.

**MOTION** by Hamilton, second by Wilde to adopt amended Ordinance 2301, prohibiting wireless communication facilities in public park land use designations. The motion passed unanimously (7-0).

Councilmember Hamilton is unclear on the proper size for adequate signage, but would want to add the appropriate language to the ordinance.

Councilmember Schilaty deferred to Mr. Dennison to add the appropriate signage size language.

Mr. Weed recommended including specific language regarding signage size.

Mr. Dennison recommended a 4x6 notification sign.

Councilmember Hamilton noted it should be 4x6 and the issue can be revisited in the future and amended. He wished to move forward and have this legislation in place.

Mayor Guzak agreed. She is in favor of revisiting the issue of adding signage language to the ordinance in the future.

Councilmember Burke mentioned the matter concerning the independent attorney review and wanted to know if it should be referenced in the ordinance.

Councilmember Schilaty clarified staff will return with an amendment addressing signage requirements.

Mayor Guzak wanted to discuss the issue raised regarding additional attorney review.

Councilmember Hamilton doesn't see the point in additional attorney review. He stated the issue has been in the pipeline for a long time. There has been a lot of public process and adequate time allowed for the public to make input. Staff has spent a considerable amount of time on the matter and he is not in favor of further review.

Councilmember Randall indicated the Council should wait and see how the ordinance works. If the City runs into a problem, then maybe it might be necessary to hire an attorney. He is in favor of waiting.

Councilmember Schilaty is in favor of attorney review. She thinks there are many aspects within the ordinance which reflect best practices, but there are also issues specific to this community.

**MOTION** by Schilaty, second by Burke to hire an FCC attorney to review the City's wireless facilities communications ordinance.

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Councilmember Hamilton restated he is not in favor of hiring an FCC attorney.

**VOTE ON MOTION:** The motion failed (2-5) with Guzak, Wilde, Rohrscheib, Randall and Hamilton voting nay.

Mayor Guzak acknowledged the process was a good one and appreciates the hard work of Mr. Dennison and the Planning Commission.

### **b. Fireworks Regulations – ADOPT Ordinance 2304**

Mr. Bauman stated at the Council's January 5, 2016 meeting, fireworks regulations were discussed and staff was directed to develop an ordinance to revise the Snohomish Municipal Code. The purpose of the revision was to affect only the days of permitted discharge of fireworks and to limit it to just one day on July 4 of each year. State code provides a wide range of dates and permissible code options for sale and discharge on June 28, June 29, July 3, July 4 and July 5. Among the State's thirty-nine counties, five have banned fireworks entirely for both sales and discharge. In Snohomish County, the cities and towns that have adopted total bans include the cities of Edmonds, Everett, Gold Bar, Mill Creek, Mountlake Terrace, Mukilteo and the Town of Woodway. The City of Marysville has also banned sales and discharge of fireworks.

The City's current code allows for both discharge and the sale of fireworks. Sales are permitted from 9:00 a.m. to 10:00 p.m. on July 1, 2, 3 and 4 of each year. In the past, staff has discussed the public safety concerns and nuisance concerns regarding fireworks discharge. Ordinance 2304 would solely restrict discharge to one day on July 4 and would not affect fireworks sales within the community. Staff would like to have Council confirm its intention to have staff bring forward a resolution to place a total ban as an advisory measure on the general election ballot this year prior to the August filing deadline.

Councilmember Rohrscheib stated the Public Safety Commission is in favor of implementing a complete fireworks ban, and would like to see it go before the voters in the Fall.

Councilmember Hamilton is curious why the City would propose bringing this forward as an advisory vote because this subject matter has been brought up for a very long period of time and we have yet to have one citizen comment they do not want a fireworks ban. He has not received any citizen correspondence stating the City shouldn't have a ban. He has heard citizens state they are in favor of a ban. He doesn't know why it should be taken to an advisory vote.

Mayor Guzak asked if Councilmember Hamilton is suggesting that the Council take a vote on an outright ban.

Councilmember Hamilton confirmed that is what he would like to see happen.

Councilmember Randall wants to know why Snohomish County allows fireworks sales on July 5.

Mr. Bauman is unaware of the logic behind it. He speculated that possibly people who have left over fireworks are allowed to discharge them rather than hold them in their homes which is a safety issue.

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Councilmember Burke stated if the motion is made to ban fireworks, he would second the motion.

Councilmember Wilde asked if the Council adopted the new ordinance and the City experiences another drought like last year, would the Council have the authority to ban the discharge of fireworks due to bad weather conditions.

Mr. Bauman stated there is a bill before the legislature in this session that would give cities that authority. However, that authority does not currently exist.

Citizen Comments:

**Morgan Davis, 206 Avenue I**, stated elections are expensive. For just one measure, the City has to pay between \$5,000 or \$50,000, depending on the timing. The rationale at the last Council meeting for the cannabis issue was Councilmember Randall convinced the rest of the Council, to put off that election until 2017 because the fireworks ban advisory is on this November. He inferred that Snohomish voters are too stupid to be able to vote on two different ballot measures. If you ban fireworks tonight, then move up the cannabis ban to the November presidential election where you will get a ninety percent turnout. If you postpone it to 2017, it's going to cost more money, and you will only get a thirty percent turnout. Councilmember Rohrscheib is the swing vote. If he votes to ban fireworks, and eliminate the advisory vote this November, then make a motion to move up the cannabis.

Councilmember Randall stated he never called anybody stupid. He said he thought it would be very divisive to have three issues potentially on the November 2016 ballot. He never indicated that he thought anybody was stupid.

**Bill Betten, 56 State Street**, would love to see the City Council vote on the fireworks ban tonight. He is not in favor of waiting. Citizens can go elsewhere to view fireworks.

Citizen Comments: Closed

Councilmember Burke likes fireworks, but times have changed. The statistics for serious injury in our area have been incidental. Maybe we've gotten lucky. Fourth of July happens at a time when first responders are heavily taxed across the State. By the middle of July or early August last year, entire teams of fire crews were out of contact with their fire managers for days and weeks at a time and had been given directives to openly fight fires with no incident command. This is a chaotic and dangerous situation. Resources are taxed. There is no need for people to be lighting off flammables at a time like that.

Councilmember Randall believes a fireworks ban should be placed as an advisory vote on the ballot. He agrees citizens have not come to the Council in support of keeping fireworks, but he knows from watching fireworks in his neighborhood, there appears to be an interest in discharging them. He wants to take the pulse of the community and put in on an advisory vote. If the results come back in favor of a ban, then he would be in favor of it. He believes it should go to an advisory vote in November.

Councilmember Schilaty stated as much as she would like to see a ban tonight, Council has been reminded again and again about being open and transparent. While she agrees with Councilmember Burke that this is a dangerous issue, it is also a very patriotic issue and a lot of people do enjoy celebrating. She is concerned if the Council imposes a ban tonight, with not a lot of citizen discussion, it could become an issue in the community.

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She would like to see it on an advisory vote, and adopt the ordinance to limit fireworks discharge to July 4 only.

Mr. Bauman stated any ordinance adopted prior to July 4 this year would not go into effect until July 4, 2017.

Councilmember Schilaty asked if an advisory vote were to pass concerning the ban, it wouldn't take effect until July 2018.

Mr. Bauman confirmed that is correct.

Councilmember Wilde commented that after listening to the majority of the citizens at the last meeting regarding the cannabis issue, if people want to see fireworks, they can drive and go see fireworks too. That would be his suggestion if they were to vote for a ban tonight. This won't address the noise issue, but it will make it a little bit safer for our community.

Councilmember Rohrscheib agreed with Councilmembers Schilaty and Randall that the matter should be brought before the voters. He stated the Council gets accused time and time again they don't listen to the citizens. There's no better way to prove your point than to vote for it.

Councilmember Hamilton asked staff if he were to make a motion to entirely prohibit sales and discharge of fireworks in the City, is the Council ready to move forward with legislation tonight, or would the Council need to continue the public hearing and bring back appropriate legislation at a future meeting.

Mr. Bauman replied the ordinance before the council could not be modified to adopt a ban. Staff would need to present a new ordinance to the City Council. He wouldn't recommend that the Council continue the current hearing, but instead schedule a new hearing on a new ordinance at a future meeting.

Councilmember Hamilton noted that this is a public hearing and nobody showed up. He confirmed there were two speakers, but they were here on another matter.

**MOTION** by Hamilton, second by Burke that staff bring back an ordinance to ban the sales and discharge of fireworks and schedule a public hearing.

Mayor Guzak summarized if the Council were to pass Ordinance 2304 tonight to allow discharge of fireworks to July 4 only it would be in place until, and if, the Council agrees it wants staff to bring forward a complete ban.

Councilmember Hamilton stated if the Council were to pass this legislation it will not take effect until July 2017. He notes Council has until June 2016 if we want to impose the ban.

Councilmember Rohrscheib asked about adopting Ordinance 2304, and then changing it if necessary.

Councilmember Randall agreed with Councilmember Rohrscheib.

Mayor Guzak supports Ordinance 2304 and also taking the matter to a public vote.

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Councilmember Hamilton noted if the Council brings back a ban it would be a public hearing where citizens would show up.

Councilmember Burke doesn't favor an advisory vote.

Councilmember Wilde noted if we bring this matter back again, it will be the third time this year. Citizens are not here for it today and they could have been here today and in January.

Mayor Guzak has received several comments from citizens supporting a ban and one from a citizen stating that she was completely unpatriotic to even think about banning fireworks.

**VOTE ON MOTION:** The motion failed (3-4) with Schilaty, Guzak, Rohrscheib and Randall voting nay.

**MOTION** by Rohrschieb, second by Randall to adopt Ordinance 2304.

Councilmember Schilaty confirmed the motion is to restrict the discharge of fireworks to July 4.

Councilmember Wilde summarized that this action would be moving the discharge of fireworks to July 4, 2017 and the effective date of any advisory vote action to impose a complete ban would take effect on July 4, 2018.

**VOTE ON MOTION:** The motion passed unanimously (7-0).

Mayor Guzak discussed the issue of taking the fireworks ban to the voters in November.

Councilmember Hamilton questioned how many issues will the Council send to the voters. The Council had previous discussions about public safety and it was suggested that the Council take an advisory vote to the people and the Council did not do so. There was a very contentious discussion over the issue and a divided 4-3 vote. In the end, the City saved hundreds of thousands of dollars per year, with an improved police department. Council chambers were filled with citizens during those discussions. That was an issue which was incredibly important to the community and the Council did not take it the voters. Citizens are not showing up to the fireworks discussions.

Councilmember Schilaty replied there are many issues not appropriate for an advisory vote. However, when it comes to a question of community values, like the marijuana and fireworks issues, it is appropriate for an advisory vote. The contracting out of police services was an issue that might have been a good issue to take the voters, as it involved whether or not to dismantle this community's 150-year stand alone police department. Additionally, our citizens are asking the Council for more communication and maybe this is part of building back that trust.

**MOTION** by Schilaty, second by Randall to bring the issue of whether or not to ban fireworks as an advisory measure on the November 2016 ballot.

Councilmember Randall noted there are several other cities in our area that have recently taken advisory votes, including the City of Marysville and others in the South County area.

### **AGENDA ITEM 3b**

Mr. Bauman replied the other Snohomish County city is the City of Briar, which approved an advisory vote to ban fireworks. However, he does not believe the City of Briar has taken further action to adopt a new code yet. There are also several cities in King County that took similar votes.

**VOTE ON MOTION:** The motion passed (4-3), with Wilde, Burke and Hamilton voting nay.

#### **6. ACTION ITEM – ADOPT Personnel Policies – PASS Resolution 1335**

Ms. Adams explained it has been more than five years since the City's policies have been reviewed and updated. Some of the significant amendments included removing all reference to law enforcement personnel and related civil service processes resulting from the City's contract for law enforcement services with the Snohomish County Sheriff's Office.

The policies have also been modified related to the use of technology and social media. As staff and Council are aware, it has become increasingly necessary due to the expansion of public records which now includes text messages and other forms of social media that the City have a comprehensive policy to address acceptable business use and issues related to the disclosure and retention of those records.

The Affordable Care Act became law in 2010. Implementation is being phased in through 2018. For the City, currently the most significant aspect of this law is how it is applied to our seasonal or temporary work force. In that regard, staff has structured the policy to establish a measurement period for calculating eligibility for the City's medical plans at twelve months, instead of adopting a weekly or monthly calculation. This allows for the averaging of peak hours worked by seasonal staff over an entire year, which falls well below the Affordable Care Act's threshold which would require the City to provide a medical benefits package to its seasonal workers.

The City has added two additional unpaid holidays for reason of faith or conscience per state law.

The City has updated its meal allowance, or per diem from \$46.00 per day to \$58.00 per day, based on the 2015 Per Diem Rates reported by the General Services Administration or (GSA) for Snohomish County (Everett/Lynnwood). This amount is also consistent with the State of Washington Office of Financial Management Guidelines for meal reimbursement.

It has been clarified in the City's policies that although marijuana has been legalized under Washington law, it remains illegal under federal law and those employees who are subject to random drug testing under the Federal Motor Carrier Guidelines for commercial driver licenses would be in violation of their CDL terms and conditions if they were to test positive for marijuana.

Ms. Adams also noted that the draft policies have undergone both staff and legal review.



### **AGENDA ITEM 3b**

Mayor Guzak stated she read through the policies and found them to be interesting and comprehensive. She was pleased to see the social media policies and appropriate procedures for dealing with social media.

**MOTION** by Schilaty, second by Rorhscheib to **APPROVE** Resolution 1335 adopting the City's Personnel Policies and Procedures Manual. The motion passed unanimously (7-0).

7. **CONSENT ITEM: AUTHORIZE** payment of claim warrants #58236 through #58321 in the amount of \$200,434.01 issued since the last meeting.

**MOTION** by Hamilton, second by Randall, to **AUTHORIZE** the payment of claim warrants #58231 through #58321 in the amount of \$200,434.01. The motion passed unanimously (7-0).

#### **8. OTHER BUSINESS/INFORMATION ITEMS:**

Mayor Guzak reports she received a text message from ex-Councilmember Paul Kaftanski who has been promoted at the City of Everett. He is now the Executive Director under Parks, Community Services, Transportation, Policies, Planning and Community Service. He is managing a budget of about \$40 million.

Mayor Guzak discussed the deed restriction at the Boys and Girls Club property and how the Council might want to address the matter.

Mr. Bauman stated it is a relatively simple process. The City Attorney has reviewed the issue and has informed staff this can be accomplished by a Council motion on an action item. The Council could hold a public hearing if they desired to do so. The critical question is what language the Council would want instituted for new deed language restricting use. Staff could provide Council with a variety of options and Council can select or modify those options.

Councilmember Schilaty wanted to know if there is a benefit to waiting for the Hal Moe Committee process to be completed. She feels there is an intent to have the deed restriction reinstated. Council does not know what the language of that will be, but asks if there is a reason to wait until that process is complete so Council can capture what is reflected in the recommendation that is brought to Council.

Mr. Bauman replied for consistency, since there are multiple parcels underlying Averill Park, it would be preferred that all parcels have the same restrictive language. It is difficult at this juncture to know what the recommendations will be from the Hal Moe Advisory Committee and how the Council might want to accommodate whatever recommendations are ultimately adopted by the City Council for future projects with that language. Ideally, he suggested waiting for the Hal Moe Committee to make its recommendations, then for the Council to act on those recommendations and the deed restrictions can follow from that action.

Councilmember Schilaty stated that would be her preference. She thinks it's premature to address the issue now.

### **AGENDA ITEM 3b**

Councilmember Randall questioned staff regarding the timeline on the Hal Moe Committee and when can Council expect a recommendation.

Mr. Bauman responded he believed it would be late in 2016. He believes it is a complicated matter, because there will be multiple ideas and he thinks once some of those ideas have been sifted out, there will be a process for consulting with an architect to determine how those uses would work together and if they could be integrated into a single design. That work would come back to the committee for further review and then a final set of recommendations would then go before the City Council.

Mr. Schuller added Project Manager Denise Johns has been researching “for playground purposes only” which was the language used in 1923. In her research, when they refer to the word “playground” it wasn’t as specific as we use it currently. It meant parks and recreation. Ms. Johns can bring that information to the Council. If the committee decides they want to maintain it for parks and recreation purposes only, the Council could act on the deed restriction while they continue their efforts on what the details of that means for that particular parcel.

Mayor Guzak confirmed the Council is willing to wait for the Hal Moe committee process to unfold before addressing a deed restriction at the Boys and Girls Club.

#### **9. COUNCILMEMBER COMMENTS:**

Councilmember Burke attended the Parks Board meeting and most of the discussion centered around Ferguson Park improvements and repairs. HDS recently had its annual strategy meeting. Ms. Emge will be providing the annual report for HDS at the next Council meeting. Councilmember Burke recommended Councilmembers access the GIS website for the State of Washington. The historical fire map for public lands in the State of Washington reflect that 15 to 20 percent of the state’s public lands have burned in the last ten years. He thinks Council should consider this when discussing the future of fireworks.

#### **10. MANAGER’S COMMENTS:**

Mr. Bauman noted staff has updated the Citizen Comments sign in sheet at the lectern. It now includes a request for email addresses. He would like the Council’s consent to use the email addresses to begin sending out the City newsletter to those individuals with an opportunity for them to quickly unsubscribe if they are not interested in receiving further issues.

Mayor Guzak thinks it’s a great idea.

Mr. Bauman stated the cell phone orders have been placed for City Council cell phones. The phones should be arriving on or about March 11.

## **AGENDA ITEM 3b**

### **11. MAYOR'S COMMENTS:**

Mayor Guzak stated she has attended several meetings. One was the Association for Housing Affordability. Owen Dennison also attended. This group is sponsored through the City's \$1,000 annual membership fee. Within the context of how the City can support and expand affordable housing, the group came up with an idea that had been proposed several years ago when Councilmember Greg Guedel was on the Council, and that is to draft a property tax exemption for multifamily projects within the Pilchuck District. She would be interested in looking at an Ordinance for multifamily property tax in the near future.

She also attended the Snohomish County Cities dinner in Mukilteo. There was a presentation by the group working on the Everett Smart Streets Initiative. They are working with social workers and their police task forces by going into areas where a lot of homeless and addiction problems exist. They are finding some real benefit in having a social worker who can help guide people into available social services. Everett has made a commitment to twenty new units of affordable housing.

The North County Mayor's Meeting offered a presentation by Community Transit. Community Transit is changing their communication systems and are looking at a digital connection system. Verizon is their purveyor of choice. This has been a lengthy process with lots of work still to be done.

Mayor Guzak attended the Bob Heirman fund raiser at the Senior Center and had an enjoyable time.

There was a presentation at the Snohomish County Tomorrow meeting from Sound Transit relative to the Sound Transit 3 proposals and the alternate routes going from Lynnwood north to Everett. It is clear the City wants service to job and school sites.

Mayor Guzak stated there was a report from the Puget Sound Regional Council regarding their work on urban centers. Urban centers have not been revisited in quite some time, where people can live and work and where there is transportation and other infrastructure facilities. She looks forward to opportunities to speak to those issues.

Mayor Guzak said there was an interesting Comp Plan presentation by the City of Marysville, which provided her an opportunity to view a plan from a sister city. She noted they experience similar issues as our City, and it gave her a chance to learn more about their city.

She attended a webinar on the issue of Cascadia Rising, which is an earthquake drill scheduled for June 7-10. Snohomish will be participating in the drill and will engage and evaluate its emergency response resources.

Mayor Guzak spoke regarding the State of the City to the Tillicum Kiwanis. Mr. Bauman will also speak to the group at the end of March.

**AGENDA ITEM 3b**

She mentioned that Hans Dunshee was appointed to the Snohomish County Council.

12. Adjourn to **EXECUTIVE SESSION** at 9:38 p.m. to discuss current and potential litigation with no action anticipated.

13. Reconvene and **ADJOURN** at 10:01 p.m.

APPROVED this 15th day of March, 2016.

CITY OF SNOHOMISH

ATTEST:

\_\_\_\_\_  
Karen Guzak, Mayor

\_\_\_\_\_  
Pat Adams, City Clerk

## **PRESENTATION 5**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Debbie Emge, Economic Development Manager  
**Subject:** **Annual Report – Historic Downtown Snohomish**

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Nancy Keith, President of HDS and Debbie Carlson-Gould, Promotions Manager of Historic Downtown Snohomish (HDS), will provide a short briefing to the City Council on the 2015 achievements of HDS and their focus for 2016.

HDS receives funding through the Parking and Business Improvement Area fee that each business located in the historic district boundary pays annually with their City business license fee. HDS is a volunteer driven and volunteer-based 501(c) 3 nonprofit organization. The HDS mission is to promote, preserve, and improve the downtown historic district as the heart and soul of the City of Snohomish.

**STRATEGIC PLAN REFERENCE:** Initiative #6: Cultivate local businesses and promote the City as a great place to do business

**RECOMMENDATION:** None

**ATTACHMENT:** Presentation Slides

March 15, 2016  
**HDS Annual Report to**  
**Snohomish City Council**



Historic  
Downtown  
**SNOHOMISH**

*Antique Capital of the Northwest*

*"Dig our vintage attitude"*

HistoricDowntownSnohomish.ORG



**2014 Financial Summary:**

- Total Income - \$124,780
- Total Expenses - \$120,077
- Net Income - \$4,703

**2015 Financial Summary:**

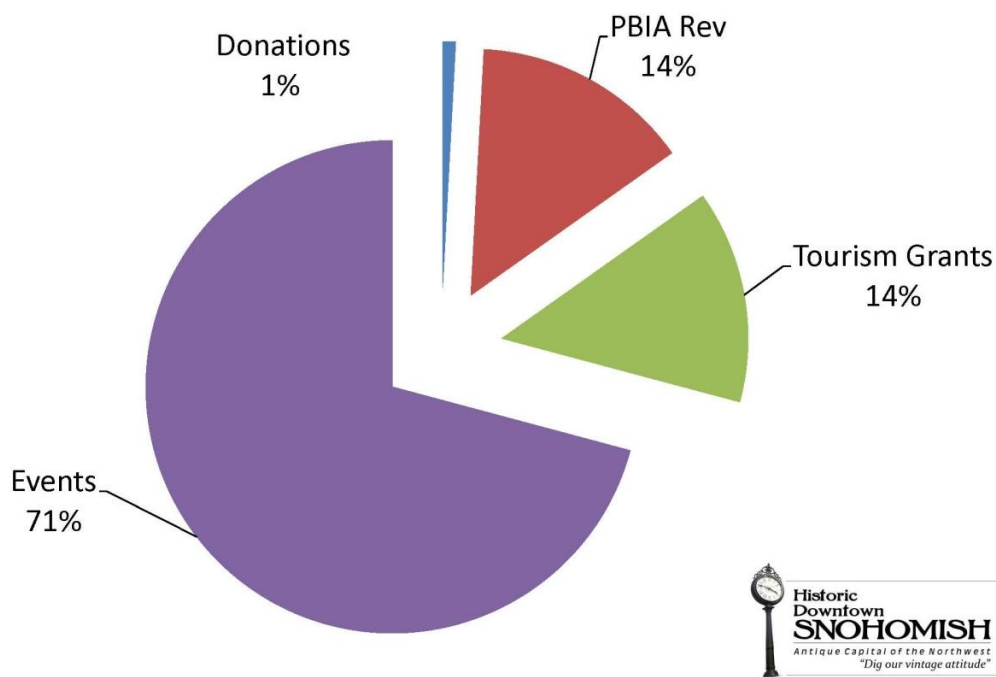
- Total Income - \$145,456
- Total Expenses - \$144,268
- Net Income - \$1,188

**2016 Budget**

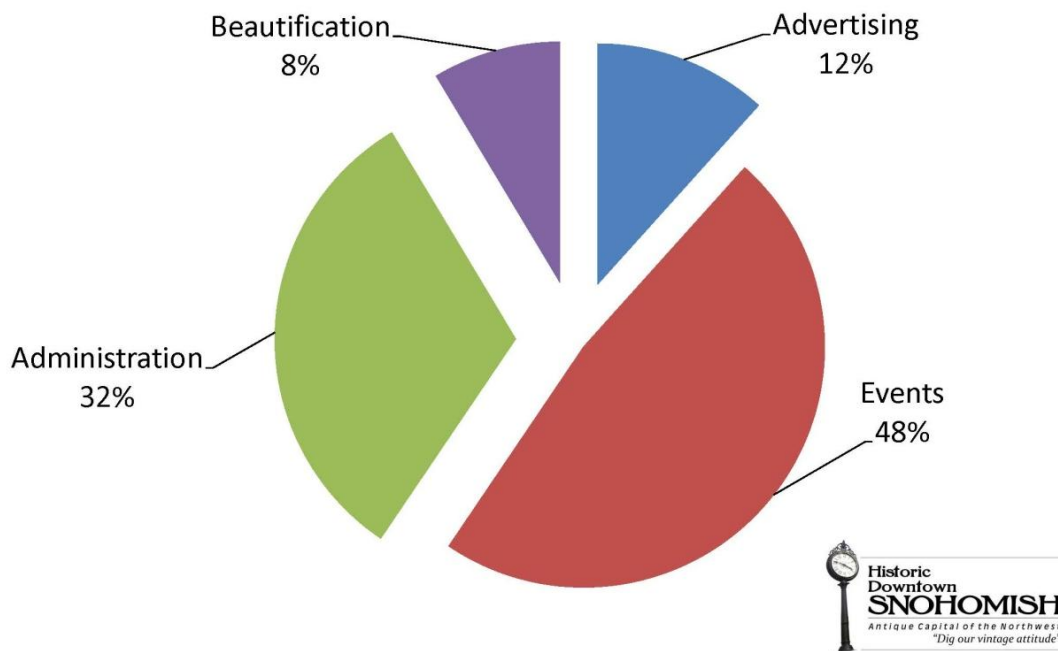
- Total Income - \$150,450
- Total Expenses - \$130,750
- Net income - \$19,700



## HDS Revenue 2015



## HDS Expenses 2015





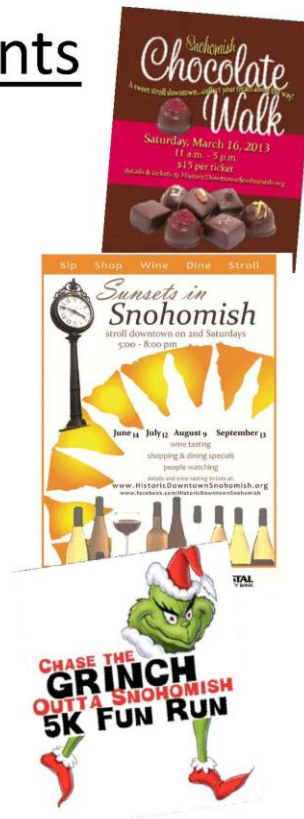
## Downtown Promotions



## PROMOTIONS- 2015 Events

### **SOLD OUT Events**

- Chocolate Walk
- Charm Walk
- Wine Walks
- 2<sup>nd</sup> annual Grinch Fun Run
- Over \$45,000 add'l spent shopping and dining



## PROMOTIONS- Events

### 8<sup>th</sup> Taste of Music



## PROMOTIONS- Events

- Trick or Treat -1,000 Kids!





## **PROMOTIONS- Events**

- Festival of Pumpkins
  - Tweed Ride
  - Zombie Walk
  - Pumpkin River Race



## **Sno-Gnome-ish Home for the Holidays**



## Chase the Grinch Outta Snohomish Fun Run 800 participants



## Looking ahead...

### Under Consideration:

- Include the word “Association”
- Commemorative paver program
- Expand membership
- Formalized volunteer program

### Continue Successful Promotional Programs in 2016

- Annual Events
- TV commercials
- Online advertising
- Social Media
- Partnerships

**Thank You!**



## **PUBLIC HEARING 6**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Yoshihiro Monzaki, P.E., City Engineer  
**Subject:** **Resolution 1341– Adopting the 2016 Stormwater Management Program**

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The purpose of this agenda item is for the City Council to consider a proposed Stormwater Management Program (SWMP) for 2016, to conduct a public hearing for the proposed SWMP, and, if acceptable, to adopt the SWMP by attached Resolution 1341.

The NPDES Phase II Municipal Stormwater Permit (Permit) requires a variety of activities that must be performed during the five-year Permit cycle. An annual update of the SWMP is one of those activities. Each component of the SWMP must be completed within a specific timeline. The attached 2016 SWMP lists the requirements by individual permit section and describes the current status of activities being undertaken by the City to comply with the Permit.

The sections below summarize the new activities that are in addition to the annual on-going activities listed in that will be completed during 2016:

### **1. New Planned Activities for Public Education and Outreach Program in 2016**

- Create Stewardship opportunities through volunteer programs assisting Public Works Staff with low impact development (LID) and rain garden construction at City properties.
- Continue spill kit distribution and education/outreach program. Re-visit and evaluate businesses visited in 2013 to measure targeted behaviors and to educate any new business owners and staff.

### **2. Annual Activities for Public Involvement and Participation in 2016**

- Hold a public hearing on the Annual SWMP at a City Council meeting.
- Post the adopted SWMP to the City website and City Hall lobby for review and comments.
- Post the Annual Stormwater Report to the City website for review and comments.
- Post public opportunities to be involved on the City website.

### **3. New Planned Activities for Illicit Discharge Detection and Elimination (IDDE) in 2016**

- Review the City's IDDE ordinance for compliance with the Permit and effectiveness and adopt IDDE ordinance on or before February 2, 2018.
- Field screen 10% of the stormwater system for IDDE and maintain inspection and maintenance records.
- Renew IDDE training for Public Works field staff and associated employees.



## **PUBLIC HEARING 6**

- Renew Certified Erosion and Sediment Control Lead (CESCL) certifications for existing Public Works employees and provide new Public Works employees CESCL training and certifications as needed.
  - Provide and track the number and date of IDDE brochures distributed to targeted businesses.
  - Provide businesses with brochures related to IDDE (track number of brochures and date delivered).
- 4. New Planned Activities for Controlling Runoff from New Development, Redevelopment and Construction Sites in 2016**
- Train staff in the site plan review process, inspections, and enforcement. Maintain records of this training and names of staff trained.
  - Review and revise LID ordinance for maintenance standard compliance.
  - Implement new LID codes per the LID Guidebook.
  - Create a summary report of the LID requirements.
- 5. New Planned Activities for Municipal Operations and Maintenance (O&M) in 2016**
- Receive refresher training in O&M procedures, inspection procedures, reporting water quality concerns, and on efforts to reduce pollutants to runoff.
  - Inspect and maintain annual 10% of total catch basins and inlets.
- 6. New and Continued Activities Planned for TMDL Requirements in 2016**
- Continue stormwater sampling for fecal coliform.
  - Submit review of past fecal coliform data (TMDL) and high priority body with the 2015 Annual Stormwater Report.
  - Submit data to Environmental Information Management (EIM) database.
  - Field screen for bacteria sources during IDDE screenings.
  - Re-inspect veterinary offices for source control BMPs.
  - Promote proper pet waste management behavior with pet waste stations and education and outreach materials.

The draft 2016 SWMP was posted on the City's website on February 11, 2016. Public notice of this hearing and proposed resolution adoption was published on March 5, 2016.

**STRATEGIC PLAN REFERENCE:** Initiative#5: Be more environmentally sustainable.

**RECOMMENDATION:** That the City Council CONDUCT a public hearing and PASS Resolution 1341.

### **ATTACHMENTS:**

- A. 2016 City of Snohomish Stormwater Management Program
- B. Resolution 1341

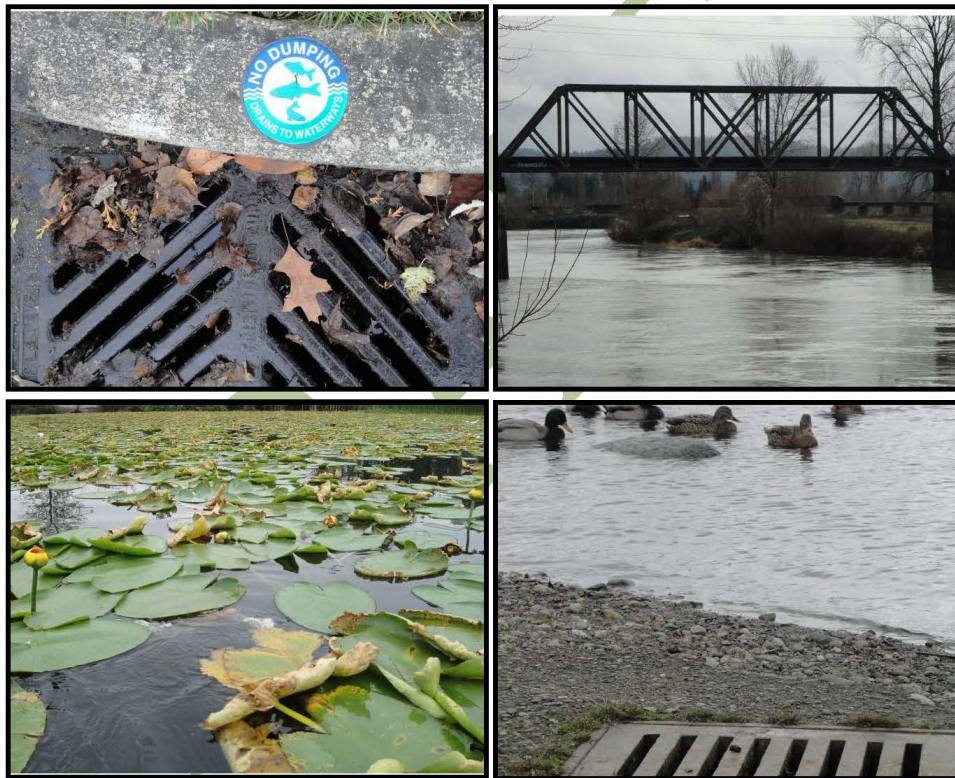


ATTACHMENT A



**DRAFT**

# **STORMWATER MANAGEMENT PROGRAM**



**CITY OF SNOHOMISH**

**2016**

## **1.0 INTRODUCTION**

This document has been prepared to meet the Western Washington Phase II Municipal Stormwater Permit (Permit) requirement for the continued development and updating of a Stormwater Management Program (SWMP). The purpose of the SWMP is to reduce the discharge of pollutants from the municipal stormwater system to the maximum extent practicable and to protect water quality.

The National Pollutant Discharge Elimination System (NPDES) Permit is a federal permit that regulates stormwater and wastewater discharges to waters of the State. While it is a federal permit, the regulatory authority was delegated to the Washington State Department of Ecology (Ecology). In response, Ecology developed and issued the Western Washington Phase II Municipal Stormwater Permit. The Permit was issued by Ecology on January 17, 2007, and was modified in 2009 and 2012. A new permit was issued August 1, 2013, and will extend until July 31, 2018. It is the intent of this SWMP to recognize the current permit requirements and to plan for these requirements where appropriate.

All municipalities affected by the permit must create and implement a SWMP which addresses the following required program elements:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Controlling Run-Off from New Development, Redevelopment and Construction Sites
- Municipal Operations and Maintenance
- Total Maximum Daily Loads (TMDLs), if applicable to the jurisdiction

The City of Snohomish SWMP will be updated annually and submitted with the City's Annual Report to Ecology. The City of Snohomish is posting this document on the City web site (<http://www.ci.snohomish.wa.us/213/Stormwater>) so it can be viewed by the public. Comments on the SWMP can be made by submitting comments in writing to City of Snohomish. Comments can be delivered or mailed to City of Snohomish, 116 Union Ave., Snohomish, WA 98290 ATTN: Max Selin, P.E., Senior Utilities Engineer. Email comments may be sent to: [selin@snohomishwa.gov](mailto:selin@snohomishwa.gov).

## **2.0 PUBLIC EDUCATION AND OUTREACH PROGRAM**

The following section describes the Permit requirements related to Public Education and Outreach and the planned activities the City intends to conduct to meet these requirements.

### **2.1 Permit Requirements**

The 2013 Permit (Section S5.C.1) requires the City to:

- Include an education and outreach program designed to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts

## **PUBLIC HEARING 6**

and encourages public participation. The target audiences include the general public, engineers/contractors/developers/land use planners, residents, landscapers and property managers/owners.

- Create stewardship opportunities to participate in such activities as stream teams, storm drain marking, volunteer monitoring, education, and riparian plantings.
- Measure the understanding and adoption of the targeted behaviors for at least one target audience no later than February 2, 2016.

### **2.2 Planned Activities**

Future activities planned to meet the Public Education and Outreach requirement of the permit are listed in Table 2-1.

**Table 2-1**

#### **Planned Activities for Public Education and Outreach Program**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
EDUC-1	Engineers/Contractors/Developers/Land Use Planners – Stormwater treatment and flow control BMPs/facilities: Pamphlet passed out with permits	Ongoing
EDUC-2	General public – pet waste handling facilities/education located at parks	Ongoing
EDUC-13	General public – Create stewardship activities by advertising the Sound Salmon Solutions and Snohomish Conservation District websites on the City website	Ongoing
EDUC-14	Volunteers to be used for LID and rain garden projects directed by the Parks Dept. within City Parks	Ongoing
EDUC-15	Farmer's Market informational booth to educate the general public on IDDE, pet waste and other general stormwater topics	Annually, May – Sept. (weekly)
EDUC-3	General public – general impacts of stormwater: Utility bill insert on stormwater topics	Annually
EDUC-12	Redirect education if necessary based upon measured results in EDUC-11	January 2016 (required by Feb. 2, 2016)
EDUC-16	Implement ECOSSE spill kit distribution and education/outreach program. Revisit/evaluate businesses visited in 2013 and measure targeted behaviors.	Complete by Dec. 2016



### **3.0 PUBLIC INVOLVEMENT AND PARTICIPATION PROGRAM**

The following section describes the Permit requirements related to Public Involvement and Participation and the planned activities the City intends to conduct to meet these requirements.

#### **3.1 Permit Requirements**

The 2013 Permit (Section S5.C.2) requires the City to:

- Provide ongoing opportunities for public involvement and participation through advisory councils, public hearings, watershed committees, participation in developing rate structures or other similar activities.
- Provide the opportunity for the public to participate in the decision making processes involving the SWMP.
- The SWMP and Annual Report shall be posted to the City's website no later than May 31<sup>st</sup> of each year.

#### **3.2 Planned Activities**

Future activities planned to meet the Public Involvement and Participation requirement of the permit are listed in Table 3-1.

**Table 3-1**

**Planned Activities for Public Involvement and Participation**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
PI-1	Hold public meeting on the Annual SWMP via the City Council	Early March (each year)
PI-2	Post final SWMP and Annual Report to City Website	By April 30th (each year)
PI-3	Post final SWMP in local City Hall foyer.	By April 30 <sup>th</sup> (each year)
PI-4	Post public opportunities to get involved on City website (i.e. links to Sound Salmon Solutions, Snohomish Conservation District, Snohomish County, Dept. of Ecology, etc.)	Ongoing

## **4.0 ILLICIT DISCHARGE DETECTION AND ELIMINATION**

The following section describes the Permit requirements related to Illicit Discharge Detection and Elimination (IDDE) and the planned activities the City intends to conduct to meet these requirements.

### **4.1 Permit Requirements**

The 2013 Permit (Section S5.C.3) requires the City to:

- Provide ongoing program designed to prevent, detect, characterize, trace and eliminate illicit connections and illicit discharges.
- Field assess at least one high priority waterbody in 2013 for IDDE purposes. *(Completed in 2015.)*
- Update City stormwater basemap which shall include all known outfalls, receiving waters, stormwater treatment and flow control facilities, conveyances where the outfall is 24-inches in diameter (or larger), and land use.
- Maintain an ordinance that effectively prohibits non-stormwater, illicit discharges into the storm system to the maximum extent allowable under state and federal law. The ordinance shall describe the allowable discharges and shall have an escalating enforcement procedure. This ordinance shall be reviewed and revised (if necessary) by February 2, 2018. The City shall have a compliance strategy to enforce the ordinance such as public education, technical assistance, source control and/or maintenance of stormwater facilities.
- Implement IDDE program that includes field screening of the system for illicit discharges/connections (40% of the system to be inspected no later than December 31, 2017 and then an average of 12% each year thereafter), procedures for detecting illicit discharges/connection and related enforcement, training for City staff, and informing businesses of hazards with illicit discharges,
- Publicize hotline for public reporting of spills and illicit discharges.

### **4.2 Planned Activities**

Future activities planned to meet the Illicit Discharge and Detection and Elimination requirement of the permit are listed in Table 4-1.

**Table 4-1****Planned Activities for Illicit Discharge Detection and Elimination**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
IDDE-1	Provide general public with information related to IDDE including hotline on City website	Ongoing
IDDE-2	Maintain stormwater basemap	Ongoing
IDDE-3	Review IDDE ordinance for compliance with the Permit and effectiveness	▪ November 2017 ( <i>needs to be adopted by Feb. 2, 2018</i> )
IDDE-4	Field Screen 10% of system for IDDE each year from 2013 through 2017 and then 12% of the system each year thereafter (Maintain records of which areas have been field screened and date inspected).	▪ 40% of total system inspected by Dec. 31, 2017 ( <i>58% inspected as of Dec. 2015</i> ) ▪ Beginning 2018, average of 12% to be inspected.
IDDE-5	Renew IDDE training for field staff and public employees (Track each training session with names of employees and date)	▪ June 2017
IDDE-6 / EDUC- 9	Provide businesses with brochures related to IDDE (track number of brochures and date delivered).	▪ Businesses: Ongoing ▪ Construction: Ongoing with permit handouts

## **5.0 CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES**

The following section describes the Permit requirements related to controlling runoff from new development, redevelopment and construction sites. It also describes the planned activities the City intends to conduct to meet these requirements.

### **5.1 Permit Requirements**

The 2013 Permit (Section S5.C.4) requires the City to:

- Implement and enforce a program to reduce pollutants in stormwater runoff from new development, redevelopment and construction site activities.
- Adopt an ordinance to address runoff from new development, redevelopment and construction site activities that will be effective no later than December 31, 2016.
  - The ordinance addressing specific requirements in S5.C5.a(i) through (iii) shall apply to all applications submitted on or after January 1, 2017 and shall apply to projects approved prior to January 1, 2017 which have not started construction by January 1, 2022.
  - Adopt Minimum Requirements, thresholds and definitions in Appendix 1 of the Permit.
  - Include legal authority to inspect and enforce maintenance standards for private stormwater facilities for new development or redevelopment.
- Implement a site plan review process, inspection and enforcement to meet development standards for both private and public projects.
  - Review all stormwater site plans.
  - Inspect all permitted sites that have a high potential for sediment transport.
    - Prior to clearing and construction
    - During construction (for erosion control)
    - After construction (permanent stormwater facilities; maintenance plan in place for treatment/flow control BMPs/facilities). If an inspection identifies an exceedance of the maintenance standard, then the following maintenance should be performed:
      - Inspections to be held within 1 year for typical maintenance, except catch basins
      - Within 6 months for catch basins
      - Within 2 years for maintenance that requires capital construction of less than \$25,000.
    - Maintain records of all inspections, warning letters, notices of violations, and other enforcement records.
  - Include provision to verify adequate long-term operation and maintenance of stormwater treatment and flow control BMPs/facilities. The ordinance must:
    - Clearly identify the party responsible for maintenance



- Establish maintenance standards as protective as Chapter 4, Volume V of the *Stormwater Management Manual for Western Washington*.
- Address annual inspections of all permitted stormwater treatment and flow control BMPs/Facilities unless there are maintenance records to justify a different frequency.
- Address inspections of all permitted stormwater treatment and flow control BMPs/Facilities and catch basins in new residential developments every six months until 90% of the lots are constructed (or when construction is stopped and the site is fully stabilized).
- At least 80% of scheduled inspections need to be completed to be in compliance with the permit.
- Make available the “Notice of Intent for Construction Activity” and “Notice of Intent for Industrial Activity” to developers.
- Train staff in the site plan review process, inspections, and enforcement. Maintain records of this training and names of staff trained.
- Implement low impact development (LID) code no later than December 31, 2016.
  - Conduct review of LID codes using Integrating LID into *Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership).
  - Submit summary of the review with annual report by March 31, 2017. The summary is to include existing LID requirements, a list of participants (job title, brief job description, department represented), the codes, rules, standards, and revisions made which incorporate LID principles and LID BMPs. It shall be organized into a) measures to minimize impervious surfaces, (b) measures to minimize loss of native vegetation and c) other measures to minimize stormwater runoff.
- Watershed-scale stormwater planning (i.e. provide support to NPDES Phase I Permittee if the County chooses a watershed that includes the City of Snohomish).

## **5.2 Planned Activities**

Future activities planned to meet the Control Runoff from New Development, Redevelopment and Construction Sites requirement of the permit are listed in Table 5-1.

**Table 5-1**

**Planned Activities for Controlling Runoff from New Development, Redevelopment and Construction Sites**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
CTRL-1	Review site plans for compliance with City Code (Keep track of number of site plans reviewed)	Ongoing



## **PUBLIC HEARING 6**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
CTRL-2	Provide post construction inspections prior to approval for compliance with City Code (Maintain inspection records; see CTRL-4).	Ongoing
CTRL-3	Inspect constructions sites prior to and during construction for erosion control (Maintain inspection records; see CTRL-4).	Ongoing
CTRL-4	Maintain records of inspections (Include name of inspector, date, findings, warning letters, notices of violations, enforcement actions).	Ongoing <i>(Need to complete 80% of scheduled inspections)</i>
CTRL-5	Provide annual inspections of all stormwater treatment and flow control BMPs/facilities. <ul style="list-style-type: none"> <li>▪ Maintain inspection records; see CTRL-4.</li> <li>▪ Document if a reduced inspection frequency is used.</li> <li>▪ If inspection reveals that a maintenance standard is not being maintained, need to perform maintenance: <ul style="list-style-type: none"> <li>○ within 1 year (all facilities except catch basins)</li> <li>○ within 6 months (catch basins) or</li> <li>○ within 2 years (maintenance that requires capital construction of less than \$25,000).</li> </ul> </li> </ul>	Ongoing <i>(Need to complete 80% of scheduled inspections)</i>
CTRL-6	Train staff in the site plan review process, inspections, and enforcement. Maintain records of this training and names of staff trained.	Ongoing/New Hires <ul style="list-style-type: none"> <li>▪ By Dec. 31, 2016</li> <li>▪ By Dec. 31, 2018</li> </ul>
CTRL-7	Make available the “Notice of Intent for Construction Activity” and “Notice of Intent for Industrial Activity” to developers.	Ongoing
CTRL-8	Review and revise ordinance for maintenance standard compliance	By Dec. 31, 2016
CTRL-10	Implement new LID codes (per LID Guidebook): Step 4 (amend existing code and develop new code)	By Dec. 31, 2016
CTRL-12	Implement new LID codes and 2012 <i>Stormwater Management Manual for Western Washington</i> : Step 6 (implementation per LID Guidebook)	March 2016 through December 2016 <i>[Implementation due by Dec. 31, 2016]</i>

## **PUBLIC HEARING 6**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
CTRL-13	Summary Report (per Permit requirement). Report to include: <ul style="list-style-type: none"><li>▪ Existing LID requirements</li><li>▪ A list of participants (job title, brief job description, department represented),</li><li>▪ The codes, rules, standards, and revisions made which incorporate LID principles and LID BMPs.</li><li>▪ Organized into a) measures to minimize impervious surfaces, (b) measures to minimize loss of native vegetation and c) other measures to minimize stormwater runoff</li></ul>	December 2016 <i>[Due with March 31, 2017 annual report]</i>

## **6.0 MUNICIPAL OPERATIONS AND MAINTENANCE**

The following section describes the Permit requirements related to the City's stormwater operation and maintenance practices. It also describes the planned activities the City intends to conduct to meet these requirements.

### **6.1 Permit Requirements**

The 2013 Permit (Section S5.C.5) requires the City to:

- Implement an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.
- Implement maintenance standards as protective as Chapter 4, Volume V of the *Stormwater Management Manual for Western Washington*.
- If an inspection identifies an exceedence of the maintenance standard, then the following maintenance should be performed:
  - Inspections to be held within 1 year for typical maintenance, except catch basins
  - Within 6 months for catch basins
  - Within 2 years for maintenance that requires capital construction of less than \$25,000.
- Perform annual inspections and take appropriate maintenance actions of all permitted stormwater treatment and flow control BMPs/Facilities unless there are maintenance records to justify a different frequency.
- Spot check and if necessary, repair potentially damaged permanent stormwater treatment and flow control BMPs/facilities after major storm events (24 hour storm event with a 10 year or greater recurrence interval).
- Inspect (and clean if necessary) all catch basins and inlets owned by the City at least once no later than August 1, 2017 and every two years thereafter.  
Alternatives to this schedule include:
  - Revised inspection frequency allowed if maintenance records for double the length of the proposed inspection frequency warrant a reduced inspection frequency. If these records are not available, certified (per G19), written statements to document a specific, less frequent inspection schedule may be submitted and shall be based on actual inspection and maintenance experiences.
  - Conduct inspections by "circuit basis" whereby 25% of catch basins and inlets within each circuit are inspected. Include an inspection of the catch basin immediately upstream of any system outfall if applicable. Clean all catch basins within a given circuit for which the inspection indicates cleaning is needed.
  - Clean all pipes, ditches, catch basins and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point.

- Implement practices, policies and procedures to reduce stormwater impacts associated with runoff from all lands owned by the City including streets, parking lots, roads highways, buildings, parks, open space, road right-of-ways, maintenance yards, and stormwater treatment and flow control BMPs/facilities.
  - The following activities are to be addressed: pipe cleaning, cleaning of culverts that convey stormwater in ditch systems, ditch maintenance, street cleaning, road repair and resurfacing (including pavement grinding), snow and ice control, utility installation, pavement striping maintenance, maintaining roadside areas, including vegetation management, dust control, applications of fertilizers/pesticides/herbicides (including reducing nutrients and pesticides using alternatives that minimize environmental impacts), sediment and erosion control, landscape maintenance and vegetation disposal, trash and pest waste management, and building exterior cleaning and maintenance.
- Implement training program for employees on O&M practices. Follow up training and documentation of training shall be conducted. A list of trained staff shall be maintained.
- Implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards and material storage facilities owned by the City. A schedule for implementation of structural BMPs and periodic visual observation of discharges from the facility to evaluate the effectiveness of the BMP shall be included in the SWPPP. Generic SWPPPs applicable to multiple sites may be used.
- Maintain records of inspection and maintenance or repair activities.

#### **6.2 Planned Activities**

Future activities planned to meet the Municipal Operations and Maintenance requirement of the permit are listed in Table 6-1.



**Table 6-1****Planned Activities for Municipal Operations and Maintenance**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
O&M-1	Maintain records of inspections and maintenance activities.	Ongoing
O&M-2	Provide annual inspections of all stormwater treatment and flow control BMPs/facilities. <ul style="list-style-type: none"><li>▪ Maintain inspection records; see O&amp;M-1.</li><li>▪ Document if a reduced inspection frequency is used.</li><li>▪ If inspection reveals that a maintenance standard is not being maintained, need to perform maintenance:<ul style="list-style-type: none"><li>○ within 1 year (all facilities except catch basins)</li><li>○ within 6 months (catch basins) or</li><li>○ within 2 years (maintenance that requires capital construction of less than \$25,000).</li></ul></li></ul>	Ongoing
O&M-3	Spot check treatment and flow control facilities/BMPs and repair if necessary.	After 24-hour/10-year storms (Ongoing)
O&M-4	Train staff in O&M operations, inspection procedures, reporting water quality concerns, and on efforts to reduce pollutants to runoff. Maintain records of this training and names of staff trained.	Ongoing/New Hires <ul style="list-style-type: none"><li>▪ By Dec. 31, 2016</li><li>▪ By Dec. 31, 2018</li></ul>
O&M-8	Inspect all catch basins and inlets	All inspected by Aug 1, 2017

## **7.0 COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD (TMDL) REQUIREMENTS**

The following section describes the Permit requirements related to the City's participation associated with the Snohomish River Tributaries' Total Maximum Daily Load (TMDL). It also describes the planned activities the City intends to conduct to meet these requirements.

### **7.1 Permit Requirements**

The 2013 Permit (Appendix 2) requires the City to:

- **Business Inspections:** Inspect commercial animal handling areas (veterinary and pet care/boarding services, animal slaughtering, and support activities for animal production) and commercial composting facilities to ensure implementation of source control BMPs for bacteria by August 1, 2016. Implement an ongoing inspection program to re-inspect facilities with bacteria source control problems a minimum of every three years.
- **Public Education and Outreach:** Conduct public education and outreach activities to increase awareness of bacterial pollution problems and promote proper pet waste management behavior.
- **Operations and Maintenance:** Install and maintain animal waste collection and/or education stations at municipal parks and other City owned lands reasonably expected to have dog and horse use and the potential for pollution of stormwater.
- **IDDE:** During IDDE-related field screening, screen for bacteria sources in any screened MS4 subbasins which discharge to surface waters in the TMDL area.
- **Targeted Source Identification and Elimination:** By February 2, 2014, the City shall review the fecal coliform data collected per approved QAPPs under the 2007 Permit and identify a minimum of one high priority area (such as a tributary or a stream segment) that will be the focus of source identification and elimination efforts. Prepare written documentation of this review and the identified high priority area and submit it with the 2014 Annual Report. The City shall begin to implement source identification and elimination efforts in the MS4 subbasins discharging to the identified high priority area no later than August 1, 2014. Stormwater quality sampling for bacteria sources is required. Each annual report's TMDL summary shall include qualitative and quantitative information about the source identification and elimination activities, including procedures followed and sampling results, implemented in the selected high priority area(s).
- **Surface Water Monitoring:** Review the fecal coliform data collected per approved QAPPs under the 2007 Permit and select surface water monitoring location(s) as appropriate for continued characterization and long term trends evaluation of fecal coliform. Submit a draft revised QAPP to Ecology for review and approval, no later than February 2, 2015. If Ecology does not request changes within 60 days, the draft QAPP is considered approved. At a minimum, the monitoring program shall:

## **PUBLIC HEARING 6**

- Begin by August 1, 2015.
- Collect 12 samples in at least one location per calendar year.
- Submit available data to the Environmental Information Management (EIM) database by May 31st of each year.
- Provide data summaries and narrative evaluation of the data in each annual report's TMDL summary.
- Be documented in a QAPP which follows Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, July 2004, Ecology Publication No. 04-03-030.

### **7.2 Planned Activities**

Future activities planned to meet the TMDL requirement of the permit are listed in Table 7-1.

**Table 7-1**

**Planned Activities for TMDL Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
TMDL-4/ IDDE-4	Field screen for bacteria sources during IDDE screenings (i.e. look for fungus, algae, color, rotten egg or musty smell)	Annually (August)
TMDL-5	Continue stormwater sampling for fecal coliform (w/ revised sites)	Monthly <i>(or frontload toward summer... min. 12 samples per year, begin by Aug. 1, 2015)</i>
TMDL-6/ REP-2	Include TMDL Summary with Annual Report regarding source identification and elimination activities (procedures followed, sampling results from TMDL-5, Show figure with results)	March, Annually <i>(Due Mar. 31<sup>st</sup>)</i>
TMDL-7	Submit data to EIM database	May, Annually <i>(by May 31<sup>st</sup>)</i>
TMDL-8	Inspect veterinary offices for source control BMPs	April 2018 (re-inspect problem areas)
TMDL-9/ EDUC-2	Promote proper pet waste management behavior with pet waste stations at parks	Ongoing

## **8.0 MONITORING**

The following section describes the Permit requirements related to monitoring. It also describes the planned activities the City intends to conduct to meet these requirements.

### **8.1 Permit Requirements**

The 2013 Permit (Section S8) requires the City to:

- Describe any monitoring related studies conducted throughout the year in the Annual Report.
- Reporting involved with the Regional Stormwater Management Program is not necessary as part of the Annual Report. The regional program includes status and trends monitoring, stormwater management program effectiveness studies, and source identification/diagnostic monitoring.

### **8.2 Planned Activities**

Future activities planned to meet the monitoring requirement of the permit are listed in Table 8-1.

**Table 8-1**

**Planned Activities for TMDL Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
MON-1	Opt into Regional Stormwater Management Program by paying the following fees: <ul style="list-style-type: none"><li>▪ Status and Trends Monitoring: \$2,276</li><li>▪ Stormwater Program Effectiveness: \$3,792</li><li>▪ Source Identification and Diagnostic Monitoring: \$352</li></ul>	Aug. 15 <sup>th</sup> , each year
MON-2	Describe any stormwater monitoring conducted for the year in the Annual Report	By March 31 <sup>st</sup> , each year



## **9.0 REPORTING REQUIREMENTS**

The following section describes the Permit requirements related to reporting. It also describes the planned activities the City intends to conduct to meet these requirements.

### **9.1 Permit Requirements**

The 2013 Permit (Section S9) requires the City to:

- Submit an Annual Report by March 31<sup>st</sup> of each year with the first reporting period being from January 1, 2014 to December 31, 2014. The report will include:
  - Copy of the current SWMP
  - Annual Report Form (per DOE)
  - Attachments (summaries, descriptions, reports, etc.)
  - Certification and signature
  - Notification of any annexations, incorporations or jurisdictional boundary changes
- Keep all records related to the permit and the SWMP for at least five years.
- All records related to the permit shall be available to the public at reasonable times during business hours.

### **9.2 Planned Activities**

Future activities planned to meet the monitoring requirement of the permit are listed in Table 9-1.

**Table 9-1**

**Planned Activities for Reporting Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
REP-1	Submit Annual Report	March 31 <sup>st</sup> , each year
REP-2 / TMDL-6	Include TMDL Summary with Annual Report regarding source identification and elimination activities (procedures followed, sampling results in TMDL-5, can show figure with results)	March 31 <sup>st</sup> , each year

ATTACHMENT B

**CITY OF SNOHOMISH  
Snohomish, Washington**

**DRAFT RESOLUTION 1341**

**A RESOLUTION OF THE CITY OF SNOHOMISH, WASHINGTON,  
ADOPTING THE 2016 CITY OF SNOHOMISH STORMWATER  
MANAGEMENT PROGRAM**

**WHEREAS**, stormwater is the leading contributor to water quality pollution of urban waterways; and

**WHEREAS**, polluted stormwater can harm human health, drinking water, and fish habitat; and

**WHEREAS**, in 1999 the United States Environmental Protection Agency (EPA) issued the National Pollutant Discharge Elimination System (NPDES) Phase II rules regulating municipally-owned separate storm sewer systems within census-defined urban areas; and

**WHEREAS**, NPDES Phase II rules require publicly-owned stormwater systems to obtain NPDES permits for their stormwater discharges; and

**WHEREAS**, the EPA requires operators of municipal separate storm sewer systems to develop and implement a stormwater management program that reduces the discharge of pollutants from the regulated municipal separate storm sewer system to the maximum extent practicable and to protect water quality; and

**WHEREAS**, on January 17, 2007 the State of Washington Department of Ecology issued the National Pollutant Discharge Elimination System and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewer Systems in Western Washington (the phase II municipal stormwater permit); and

**WHEREAS**, the phase II municipal stormwater permit became effective on February 16, 2007; and

**WHEREAS**, the phase II municipal stormwater permit was modified on June 17, 2009; and

**WHEREAS**, the phase II municipal stormwater permit was re-issued for a five year period with effective dates of August 1, 2013 through July 31, 2018 and

**WHEREAS**, the phase II municipal stormwater permit identifies six minimum control measures that must be included in the municipal stormwater management program; and

**PUBLIC HEARING 6**

**WHEREAS**, the phase II municipal stormwater permittee is required to prepare to conduct monitoring to determine the effectiveness of the permittee's municipal stormwater management program at controlling stormwater-related problems that are directly addressed by actions in the municipal stormwater management program; and

**WHEREAS**, the phase II municipal stormwater permittee is required to create opportunities for the public to participate in the decision-making processes involving the development, implementation, and update of the permittee's entire stormwater management program; and

**WHEREAS**, a notice seeking public input on the City of Snohomish Draft 2016 Stormwater Management Program was placed on the City's website on February 11, 2016; and

**WHEREAS**, notice of the City of Snohomish public hearing was advertised in the City's official newspaper on March 5, 2016; and

**WHEREAS**, the Snohomish City Council conducted a public hearing on March 15, 2016, to receive public comment for the 2016 Stormwater Management Program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON AS FOLLOWS:**

Having considered the staff report and public comment, if any, offered regarding the 2016 City of Snohomish Stormwater Management Program the Snohomish City Council does hereby adopt the 2016 City of Snohomish Stormwater Management Program.

**PASSED** by the City Council and **APPROVED** by the Mayor this 15<sup>th</sup> day of March, 2016.

CITY OF SNOHOMISH

By \_\_\_\_\_  
Karen Guzak, Mayor

ATTEST:

APPROVED AS TO FORM:

By \_\_\_\_\_  
Pat Adams, City Clerk

By \_\_\_\_\_  
Grant Weed, City Attorney

**PUBLIC HEARING 6**

## **ACTION ITEM 7a**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Yoshihiro Monzaki, City Engineer  
**Subject:** **Adoption of the 2015 Transportation Master Plan**

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The Transportation Plan update is needed as a regulatory necessity to satisfy the Growth Management Act (GMA) requirements. The GMA, adopted by the State of Washington in 1990, set specific requirements for the transportation element of a City's comprehensive plan to ensure that a balanced approach is taken towards land use development and transportation. GMA requires linkages among the land use, transportation and capital facility elements of a comprehensive plan to ensure that a City's transportation system can support the expected growth and development without decreasing current service levels below locally established minimum standards. The Plan's analyses also support the City's transportation impact fee system.

The Transportation Plan was last updated in May 2004. Since that time, annexation has opened new areas to development along Bickford Avenue and east of SR 9. Snohomish Station, the Aquatic Center, Snohomish Business Park, and a number of plats have been constructed since 2004. The population within the City limits has increased from approximately 8,500 (year 2000) to 9,270 (year 2014) according to the U.S. Census Bureau and the Washington State Office of Financial Management. In spite of the decreased rate of development in recent years due to the recession, the combination of regional growth and local development over the past decade has increased system-wide volumes and stresses on certain intersections.

In the last five years, the City has had great success in obtaining federal and state transportation grants to improve our streets and intersections. The City has completed the seven priority transportation improvement projects identified in the 2004 Transportation Plan for completion before 2030, including the latest completed project, the roundabout at 15<sup>th</sup> Street and Avenue D. These improvements included four intersections that were identified with a projected level of service F (the worst level of service) by the year 2010.

### **TIMELINE**

Following is a summary of the timeline for the development of the Transportation Master Plan (Plan):

May 20, 2014 – The Transpo Group (Transpo) was selected and awarded a contract to update the 2004 Transportation Plan.

November 4, 2014 – Staff, with the assistance of Transpo, presented to the City Council the draft Plan update status. This discussion included the current condition of the transportation system, improvements completed since 2004, current levels of service at intersections, data collection and the travel demand model.

## **ACTION ITEM 7a**

May 5, 2015 – City’s Planning Director presented the goals and policies of the Transportation Element to the City Council. The Transportation Element will be included in the City’s Comprehensive Plan with a reference to the Plan.

June 2, 2015 – Plan was presented to the City Council during a workshop to provide an opportunity for review and input prior to its adoption. During the City Council meeting a public hearing was conducted for the Plan.

June 10, 2015 – Plan was submitted to the Washington State Department of Commerce and the Puget Sound Regional Council for review. A notice of intent to adopt the Plan as an amendment was submitted to the Department of Commerce as required by RCW 36.70A.106.

February 2016 – Department of Commerce notifies the City that they have no review comments for the Plan and that the Plan can be adopted.

March 15, 2016 – Plan presented to the City Council for adoption.

## **TRANSPORTATION MASTER PLAN UPDATE**

The Plan update included the development of a City travel forecast model based on existing data (traffic volume counts, traffic analysis reports and GIS mapping) provided by the City, and additional traffic counts and origin-destination data collected by Transpo. This model was used as a basis to calculate the levels of service at study intersections, traffic volumes and number of system trips under existing 2014 and future 2035 conditions. Future population and employment growth targets for the City and its urban growth area (UGA) were based on forecasts from the Snohomish County Countywide Planning Policies and the Puget Sound Regional Council. These forecasts were used to develop the future 2035 conditions.

Based on this model, recommended improvements were identified to improve those intersections that do not satisfy the City’s adopted level of service (LOS) “E” standard. LOS is a measure of the performance of the constituent parts of a transportation system. According to the system used by the City and most jurisdictions, LOS “A” represents free flowing conditions. LOS “F” is the bottom end of the scale, representing forced traffic flow conditions where intersection wait times are unacceptable to most drivers. The GMA requires the City to adopt a policy LOS standard as a benchmark to plan for capacity improvements to maintain system performance at an acceptable level under the increased loads of projected population growth and development. With development proposals, a “concurrency” determination must be made to ensure that the proposal will not cause any intersection to fall below the adopted LOS, in other words, that capacity improvements, where necessary, will occur concurrent with the development. In this context, “concurrent” means at the time the new demands are placed on the transportation system or within six years with funding identified to implement the improvements.

Intersection improvements projects have been described in the Plan to address current and future deficiencies in the system. Corridor and non-motorized (e.g. bicycle and pedestrian) projects that address safety and alternatives to driving were also included in the Plan. Excluding

## **ACTION ITEM 7a**

maintenance projects, a total 20-year cost estimate of \$40.8 million was calculated for the identified improvements.

The City's transportation impact fee (TIF) program, established in Chapter 14.295 SMC, is intended to address system-wide traffic circulation rather than impacts in the immediate vicinity of a development or land use. Impact fees are based on assumed system impacts related to the level and location of anticipated growth, and the specific capacity improvements necessary to address the cumulative impacts. Impact fees can only be levied and expended to address growth-related impacts. Such improvements are typically larger scale and in excess of the typical development applicant's ability to afford, e.g. a roundabout or traffic signal.

A TIF was calculated by determining the percentage of the capacity improvement project costs that can be attributed to growth—rather than to curing existing deficiencies—and the projected number of trips generated by new development over the 20-year planning period. From these assumptions, the cost to the transportation system of each new vehicle trip is determined. The modeling results estimate the existing number of PM peak hour trips at 24,881. Based on the Countywide Planning Policies and PSRC forecasts, the number of trips is projected to increase to 31,809 by 2035. This represents 6,928 new daily PM peak hour trips. It is important to note that about 40 percent of these trips do not begin or end in the City or UGA (pass through trips) and therefore are unrelated to new growth or development within the City. These are trips that are passing through the City to possibly bypass heavy traffic on SR 9 or US 2.

Only the growth related portion of the project cost may be used to calculate the TIF. For the total growth related cost, \$11.1 million was calculated, which is 27 percent of the total cost of identified capacity projects. The remainder represents costs to address existing deficiencies. However, the \$11.1 million includes costs for improvements to accommodate pass through trips that cannot be recovered by the City. It was calculated that \$6.8 million of the growth related cost amount could be recovered by the City through TIF revenues.

From the model analysis, a total of 6,928 growth trips were calculated. Of those growth trips, 4,260 trips began and ended in the City or the UGA and are eligible to be considered in the calculation of the TIF. Dividing the approximately \$6.8 million by the 4,260 growth trips equates to \$1,603 per trip. The City's current traffic impact fee is \$1,422 unchanged since 2004's plan adoption.

The TIF will assist in funding projects that will accommodate traffic growth associated with the future land use development of the City and its arterial and non-motorized systems mostly by providing a local funding match resource for federal and state grants. This Plan update will provide the City with documentation and justification for grant funding applications for transportation improvement projects, and a guideline for prioritizing the transportation needs to maintain level of service standards to support the City's land use plans.

A revenue and expenditure forecast analysis was performed for the transportation funding program based on the review of past budgets from the years 2010 to 2014. Based on all cost and revenue assumption, including assumptions for grant funding that may be received by the City through the planning period, the analysis estimates a shortfall for the capital costs (\$20.4 million) and the maintenance and operation costs (\$7.3 million) during the planning period of 2015 to

## **ACTION ITEM 7a**

2035. To address the capital cost shortfall, some projects may be delayed beyond year 2035. Maintenance and operations programs are reviewed annually and are adjusted according to the available budget.

**STRATEGIC PLAN REFERENCE:** Initiative #4: Increase multi-modal mobility within and connections to the community.

**RECOMMENDATION:** That the City Council ADOPT Ordinance 2307, and the 2015 Transportation Master Plan.

**ATTACHMENT:** Ordinance 2307

### **REFERENCE DOCUMENTS:**

- A. 2015 Transportation Master Plan  
<http://wa-snohomish.civicplus.com/DocumentCenter/View/2185>
- B. November 4, 2014 Transportation Plan Update Staff Report (page 53-57)  
<http://www.snohomishwa.gov/AgendaCenter/ViewFile/Agenda/11042014-462?html=true>
- C. November 4, 2014 Transportation Plan Update Meeting Minutes (page 18-22)  
<http://www.snohomishwa.gov/AgendaCenter/ViewFile/Agenda/11182014-465?html=true>
- D. June 2, 2015 Transportation Master Plan Workshop Staff Report  
<http://www.snohomishwa.gov/AgendaCenter/ViewFile/Agenda/06022015-514?html=true>
- E. June 2, 2015 Transportation Master Plan Staff Report (page 37-46)  
<http://www.snohomishwa.gov/AgendaCenter/ViewFile/Agenda/06022015-513?html=true>
- F. June 2, 2015 Traffic Impact Fee Staff Report (page 47-57)  
<http://www.snohomishwa.gov/AgendaCenter/ViewFile/Agenda/06022015-513?html=true>
- G. June 2, 2015 Transportation Master Plan Workshop Meeting Minutes (page 1-7)  
June 2, 2015 Transportation Master Plan Public Hearing Meeting Minutes (page 12-13)  
June 2, 2015 Traffic Impact Fee Meeting Minutes (page 13-15)  
<http://www.snohomishwa.gov/AgendaCenter/ViewFile/Agenda/06162015-518?html=true>



**ACTION ITEM 7a**

**CITY OF SNOHOMISH  
Snohomish, Washington**

**ORDINANCE 2307**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,  
ADOPTING THE CITY'S TRANSPORTATION MASTER PLAN, A SUB-  
ELEMENT OF THE COMPREHENSIVE PLAN**

**WHEREAS**, as one of the cities in Snohomish County, the City of Snohomish is required to adopt and regularly update comprehensive plan documents pursuant to Chapter 36.70A, the Washington State Growth Management Act (GMA); and

**WHEREAS**, pursuant to Ordinance 2284, in 2015 the City adopted its amended Comprehensive Plan; and

**WHEREAS**, pursuant to the Growth Management Act, all capital facilities plans are required to be incorporated as a sub-element of the City's comprehensive plan; and

**WHEREAS**, adoption of the 2015 Transportation Master Plan is in the public interest and will promote the safety and improvement of the non-motorized and motorized transportation system and will enable the City to meet its long-term growth requirements; and

**WHEREAS**, on June 2, 2015, following public notice as required by law, the City Council conducted a public hearing on the proposed 2015 Transportation Master Plan, and all persons wishing to be heard were heard; and

**WHEREAS**, acting as the SEPA Responsible Official, the City Planning Director, reviewed this Transportation Master Plan and on September 10, 2015 issued a determination of non-significance (DNS); and

**WHEREAS**, public notice of the SEPA threshold determination and the public hearing for the proposed non-project action was provided as required by law; and

**WHEREAS**, pursuant to SMC 14.15.070 and RCW 36.70A.106, the City notified the Washington State Department of Commerce (DOC) of the City's intent to adopt the proposed 2015 Transportation Master Plan more than 60 days prior to final adoption and the DOC approved the 2015 Transportation Master Plan as submitted; and

**WHEREAS**, the City has reviewed the 2015 Transportation Master Plan internally for: 1) consistency with the Comprehensive Plan; 2) consistency with the Growth Management Act and the State Environmental Policy Act; and 3) to determine if the 2015 Transportation Master Plan is in the interest of the public health, safety, and welfare of Snohomish residents;

**ACTION ITEM 7a**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The City adopts the 2015 Transportation Master Plan attached hereto and incorporated by this reference and authorizes and directs City staff to submit the final 2015 Transportation Master Plan to the Washington State Department of Commerce and Puget Sound Regional Council, following insertion of any minor revisions or corrections associated with the City Council's final approval.

**Section 2.** Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

**Section 3.** Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 15<sup>th</sup> day of March, 2016.

CITY OF SNOHOMISH

By \_\_\_\_\_  
KAREN GUZAK, MAYOR

Attest:

Approved as to form:

By \_\_\_\_\_  
PAT ADAMS, CITY CLERK

By \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY

## **ACTION ITEM 7a**



# TRANSPORTATION MASTER PLAN

City of Snohomish



Prepared for:  
City of Snohomish  
May 2015  
Prepared by:

transpogroup 

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**ACTION ITEM 7a**

May 2015

City of Snohomish  
Draft Transportation Master Plan

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## Introduction to the Plan

The network of highways, roads, trails, railroads and transit services move residents, visitors, and goods into, through, and out of the community. Today's circulation routes and infrastructure reflect the incremental development that has happened over 150 years or longer. Changes have occurred as transportation modes have transitioned, as demands on the system have evolved, and as the City has grown and integrated with regional highway and trail systems. Optimizing existing infrastructure and planning for future needs is necessary to maintain an efficient system that will serve the City into the future. A comprehensive, well-planned and efficiently functioning transportation system is essential to Snohomish's long-term growth and vitality, and to sustaining a high quality of life.

The Transportation Plan provides the framework to guide the growth and development of the City's transportation infrastructure. It integrates land use and the transportation system, responding to current needs and ensuring that all future developments are adequately served. The Transportation Plan addresses the development of a balanced, multi-modal transportation system for the City and adjacent Urban Growth Area (UGA) and recognizes the regional nature of the transportation system and the need for continuing interagency coordination.

This Transportation Plan is based on a 2014 study of Snohomish's existing transportation network, combined with a 20-year (2035) projection of future growth and transportation needs. The document includes four sections:

1. Existing Transportation Facilities and Conditions
2. Travel Forecasts Evaluation
3. Transportation Systems Plan
4. Financing Program

As a companion document, the Transportation Plan implements the Transportation Element of the Comprehensive Plan. Consistent with the other elements of the Comprehensive Plan, the Transportation Element establishes a policy framework for making decisions consistent with the City's vision, and describes a strategy for accomplishing the City's vision over the 20 year planning horizon. Based on the goals and policies in the Transportation Element, the Transportation Plan is intended to serve as a guide for transportation decisions to address both short and long term needs. To meet Growth Management Act (GMA)<sup>1</sup> requirements, the Transportation Element and Transportation Plan must identify existing transportation system characteristics, establish standards for levels of service, and identify existing and future deficiencies based on land use growth projections. The Transportation Plan also discusses roadway mobility and accessibility needs, identifies improvements necessary to enhance safety, bicycle and pedestrian travel, and public transit.

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<sup>1</sup> Washington State 36.70A RCW. Available at <http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A>

**Plan Development**

Development of an updated City of Snohomish Transportation Plan was commissioned by the City Council in the fall of 2014 to replace the adopted 2004 City of Snohomish Transportation Plan. The Plan addresses transportation needs, improvement projects, and funding sources to support the projected residential and employment growth through the year 2035. The Plan is also intended to satisfy GMA requirements.

The following sections summarize the regulatory setting and regional planning efforts that guided the development of the Transportation Plan.

**Growth Management Act**

Under GMA (RCW 36.70A.070), a transportation element is required to assess the needs of a community and determine how to provide appropriate transportation facilities for current and future residents. The transportation element must contain:

- Inventory of existing facilities;
- Assessment of future facility needs to meet current and future demands;
- Multi-year plan for financing proposed transportation improvements;
- Forecasts of traffic for at least 10 years based on adopted land use plan;
- Level of service (LOS) standards for arterials and public transportation, including actions to bring deficient facilities into compliance;
- Transportation Demand Management (TDM) strategies, and;
- Identification of intergovernmental coordination efforts.

Additionally, under GMA, development may not occur if the development causes the transportation facility to decline below the City's adopted level of service standard unless adequate infrastructure exists or strategies are identified to accommodate the impacts of the development are made within six years of the development. Finally, the element must include a reassessment strategy to address how the Plan will respond to potential funding shortfalls.

**VISION 2040 (Puget Sound Regional Council)**

VISION 2040 was adopted in 2008 as the central Puget Sound region's long-range strategy for growth management, the environment, economic development, and transportation. While VISION 2040 builds on previous regional plans for King, Kitsap, Pierce, and Snohomish counties – including the VISION 2020 and VISION 2030 updates – it also introduces new provisions to guide and coordinate regional and local planning. Successful implementation of VISION 2040 relies on successful implementation of local comprehensive plans.

**Countywide Planning Policies**

The Snohomish County Countywide Planning Policies (CPPs) require that local jurisdictions develop a balanced transportation plan that is consistent with VISION 2040 and proposed multimodal regional mobility (e.g. transit, bicycle, pedestrian, vehicles, and air). The CPPs promote high capacity transit, non-motorized transportation, high-occupancy vehicle travel, mode-split goals, preservation and maintenance of existing transportation facilities, and development of financing strategies to meet future needs. Each comprehensive plan should



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include timelines for improvements, focusing on preservation and maintenance of existing infrastructure with additions as necessary to accommodate future growth.

### **Clean Air Conformity Act**

The Transportation Plan is subject to the Washington State Clean Air Conformity Act that implements the directives of the Federal Clean Air Act. Because air quality is a region wide issue, the City's Comprehensive Plan must support the efforts of state, regional, and local agencies as guided by WAC 173-420-080.

### **Healthy Communities**

Recognizing the growing need for physical activity among citizens, the Washington State Legislature amended the GMA in 2005 with the Healthy Communities Amendment, ESSB 5186. Comprehensive plans are directed to address the promotion of Healthy Communities through urban planning and transportation approaches. The two amendments to the GMA require that communities:

1. Consider urban planning approaches that promote physical activity in the Land Use Plan of a comprehensive plan; and
2. Include a bicycle and pedestrian component in the Transportation Plan of a comprehensive plan.

### **Transportation Impact Fees**

A funding program for constructing the transportation projects identified in the Plan and the Capital Facilities Element of the Comprehensive Plan is supplemented by a transportation impact fee (TIF) program to assist in funding projects that will accommodate traffic growth associated with the future land use development of the City and its arterial system. The findings of this Plan update will provide the City with documentation and justification for grant applications to provide funding for transportation improvement projects, and a guide for prioritizing its transportation needs to maintain adopted level of service standards.

## **1. Existing Transportation Facilities and Conditions**

Travel needs within the City of Snohomish as well as connections to the rest of the region are accommodated by a range of transportation facilities and services. The City's existing transportation system is comprised of a state highway, arterials, collectors, local roads, pedestrian and bicycle facilities, and transit routes and facilities. A rail line also crosses through the UGA and affects other travel modes.

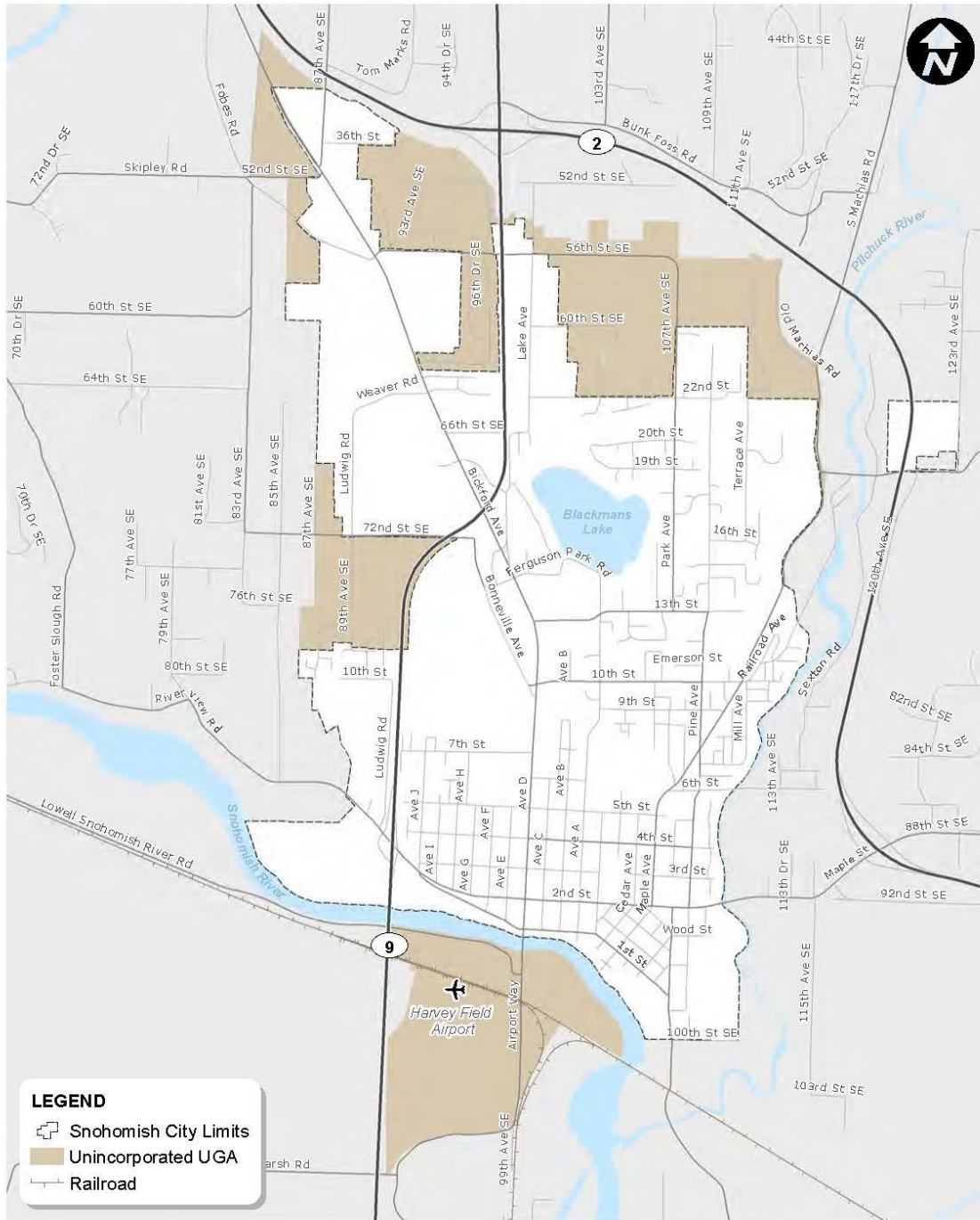
The following summarizes key elements of the existing transportation system serving the City through maps, figures, and descriptions that illustrates the transportation system in its current condition. The inventory provides input for identifying and prioritizing the City's transportation improvement projects and programs presented later in the Plan. Following the description of the planning area, subsequent sections describe the existing multimodal transportation system within the current city limits and UGA for each of the travel modes incorporated into the City's transportation network.

### **1.1. Roadway Network**

The roadway network provides mobility and access for a range of travel modes and users. The functional classification system, traffic volumes, and traffic operations at intersections are separately summarized and analyzed in this Transportation Plan. This survey and analysis of the roadway network's existing conditions provides background for identifying potential transportation improvement projects and programs.

The following sections describe the number of lanes and existing traffic controls, 2014 traffic volumes and operations, transportation safety conditions, and the freight system. Non-motorized and transit facilities and services that use the roadway system are described in the next sections. Figure 1-1 shows the existing transportation system serving the City of Snohomish.

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**Existing Roadway Network**  
City of Snohomish Transportation Element Update

FIGURE  
**1-1**



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### *North-South Roadways*

The primary north-south roadway within the City of Snohomish is SR 9, which has two lanes and a speed limit of 55 mph. SR-9 transitions from four lanes to two lanes at Marsh Road, south of the current constriction point at the Snohomish River bridge and adjacent to the southern UGA. This highway serves both local and regional traffic through the City. At peak demand times, regional SR-9 traffic diverts to surface streets within the City. Other major north-south roadways include Bickford Road / Avenue D/Airport Way, which starts at the Marsh Road and SR-9 intersection at the southern end of the UGA and proceeds north and northwest through the City, terminating at US 2 north of the UGA. Avenue A is a central connection through downtown, while Maple Avenue, Park Avenue, and Pine Avenue are major roadways on the east half of the City. Maple Avenue carries traffic flows from areas north and east of the planning area into the City. West of SR-9, Ludwig Road extends from Second Street to Weaver Road and Bickford Avenue serving much of the western portion of the City and UGA.

### *East-West Roadways*

The primary east-west roadway is Second Street, which, with its County counterparts (92<sup>nd</sup> Street SE and Riverview Road), extends from US 2 and unincorporated areas east of the City through downtown, to and under SR-9, and then to areas west of the City and UGA. Second Street has a speed limit of 30 mph. This roadway connects to most of the major north-south roadways described in the previous section. Fourth Street is a parallel east-west roadway within the City, while other roadways farther north of downtown provide additional east-west circulation. In the northern part of the City, 30th Street connects the commercial-retail area along Bickford Avenue to the east side of SR 9.

Table 1-1 summarizes the main north-south and east-west roadways traversing the City of Snohomish.

**Table 1-1 Existing Major Roadways within City of Snohomish**

Roadway	Number of Lanes	Speed Limit (mph)
<i>North-South Roadways</i>		
SR 9	2	55
Bickford Road / Avenue D	2 to 5	35 to 50
Maple Avenue	2	25 to 30
Avenue A	2	25
Pine Avenue	2	25
Park Avenue	2	25
Ludwig Road	2	25 to 35
<i>East-West Roadways</i>		
2nd Street	2 to 3	30
4th Street	2	25
10th Street	2	25
13th Street	2 to 3	25
16th Street	2	25
22nd Street	2	25
30th Street	2	35



### **Functional Classification**

Roadways are classified by their intended function and traffic volumes to provide for a hierarchy of roadways. The City of Snohomish Functional Classification defines the characteristics of individual roadways to accommodate the travel needs of all roadway users. The design of cross-sections for existing and planned roadways is tied to the functional classification of City roadways. The functional classification designations for City roadways are shown in Figure 1-2, and the following sections describe the general characteristics of each category.

#### *Highway*

The Highway system serves as the primary arterial roadway system within the City of Snohomish. Highways connect major regions with one another, and WSDOT classifies certain State highways as Highways of Statewide Significance (discussed in a following section). SR 9 crosses through the City, with four access points within or adjacent to the City and its unincorporated UGA. US 2 is just outside the City limits to the east and north. There is no direct access to US 2 within the City or UGA, although access is available at the interchange with SR 9 and the terminus of Bickford Avenue north of the UGA and from the County extension of Second Street (92<sup>nd</sup> Street SE) east of the City.

#### *Minor Arterial*

Minor Arterials are City maintained roadways that prioritize mobility within the arterial roadway system. These roadways connect highways and provide mobility in areas between towns and communities. Minor Arterials may also provide access to large land areas or serve large traffic generators, providing the function of local access. These roadways typically have the highest traffic speeds and volumes of all City roadways. Depending on posted speeds and other circumstances, direct individual property access to Minor Arterials may be discouraged in favor of access from lower order streets. Bickford Avenue, Avenue D, Lincoln Avenue, and Maple Avenue are north-south Minor Arterials within the City, while Second Street is the east-west Minor Arterial. As well as serving local traffic, Second Street, Bickford Avenue/Avenue D, and Maple Avenue carry significant regional pass-through traffic to Highway access points and other destinations.

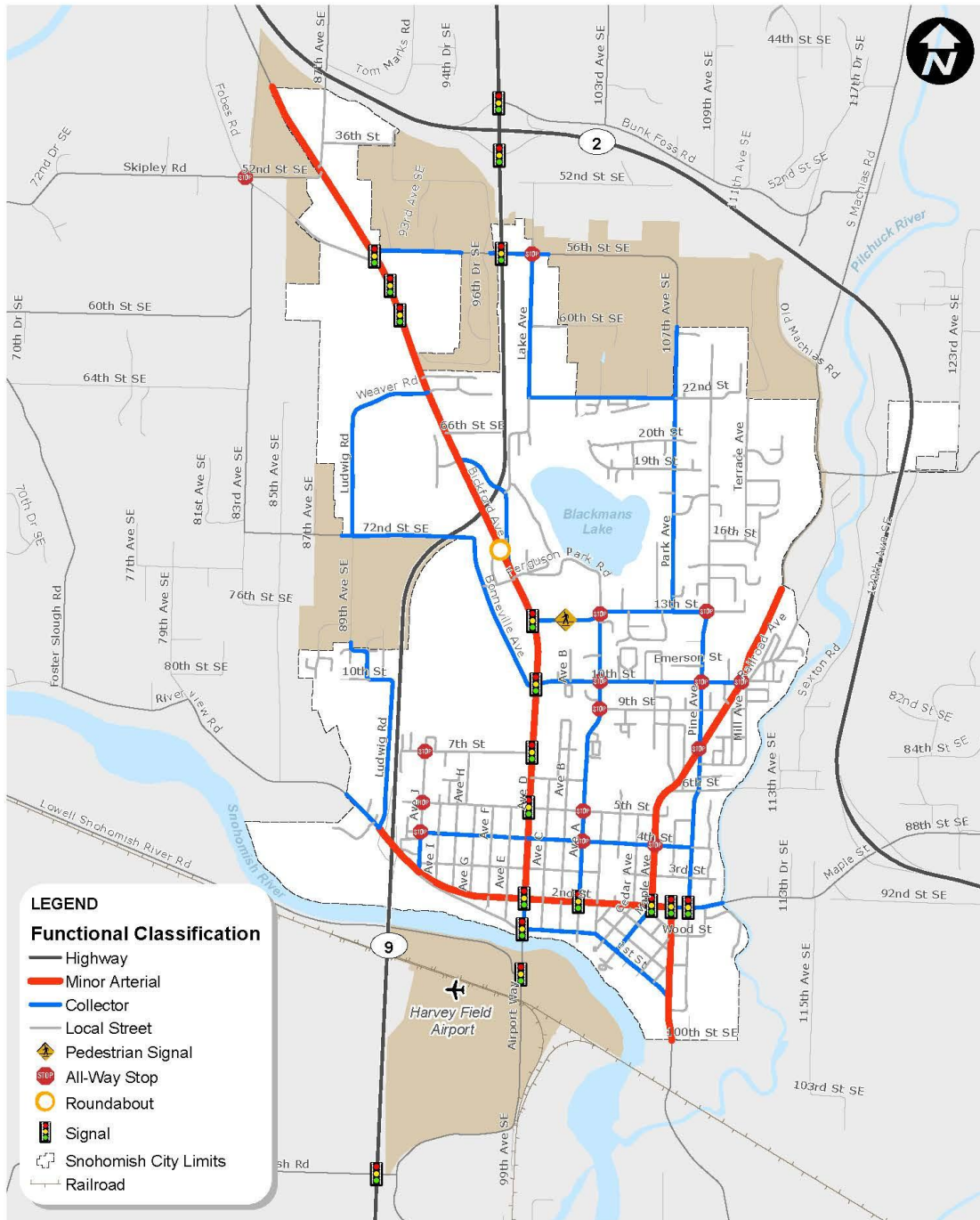
#### *Collector*

Collector roadways provide both access and mobility within the City of Snohomish between the arterial network and local streets. The predominant function of these roadways is to collect traffic from neighborhoods and local streets. They typically serve local traffic that originates or is destined to points along the corridor, while providing direct access to adjacent properties. Several north-south and east-west Collector roadways are located throughout the City.

#### *Local Street*

Local access streets provide direct access to adjoining properties, commercial businesses, and similar traffic destinations. These roadways also provide traffic circulation within or through neighborhoods. Local access roads typically carry low volumes of traffic, at relatively low speeds. Through traffic is generally discouraged through appropriate geometric design and/or traffic control devices.

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Roadway Functional Classification and Intersection Traffic Control  
City of Snohomish Transportation Element Update

transpogroup **7**

FIGURE  
**1-2**

### **Other Classification Systems**

In addition to the Functional Classification system adopted by the City of Snohomish, there are federal and state roadway designations. Federal and state grant programs provide funding for improvement projects that are on streets that have been classified with the federal or state roadway designations.

#### *National Highway System*

The National Highway System (NHS) includes the Interstate Highway System as well as other roads important to the nation's economy, defense, and mobility as defined by the Federal Highway Administration (FHWA).

#### *Federal Functional Classification*

The Federal Functional Classification system provides a hierarchy of roadways as defined by the Federal Highway Administration (FHWA). This classification system defines the role of travel through a network of roadways, rather than focusing on individual roadways. As a result, the Federal Functional Classification differs in several ways from the City's Functional Classification. Changes to the Federal Functional Classification may be submitted through the Washington State Department of Transportation (WSDOT).

#### *Highways of Statewide Significance*

WSDOT designates interstate highways and other principal arterials that are needed to connect major communities in the state as Highways of Statewide Significance (HSS). This designation assists with the allocation of some state and federal funding. These roadways typically serve corridor movements having travel characteristics indicative of substantial statewide and interstate travel. US 2 and SR 9 are classified as Highways of Statewide Significance.

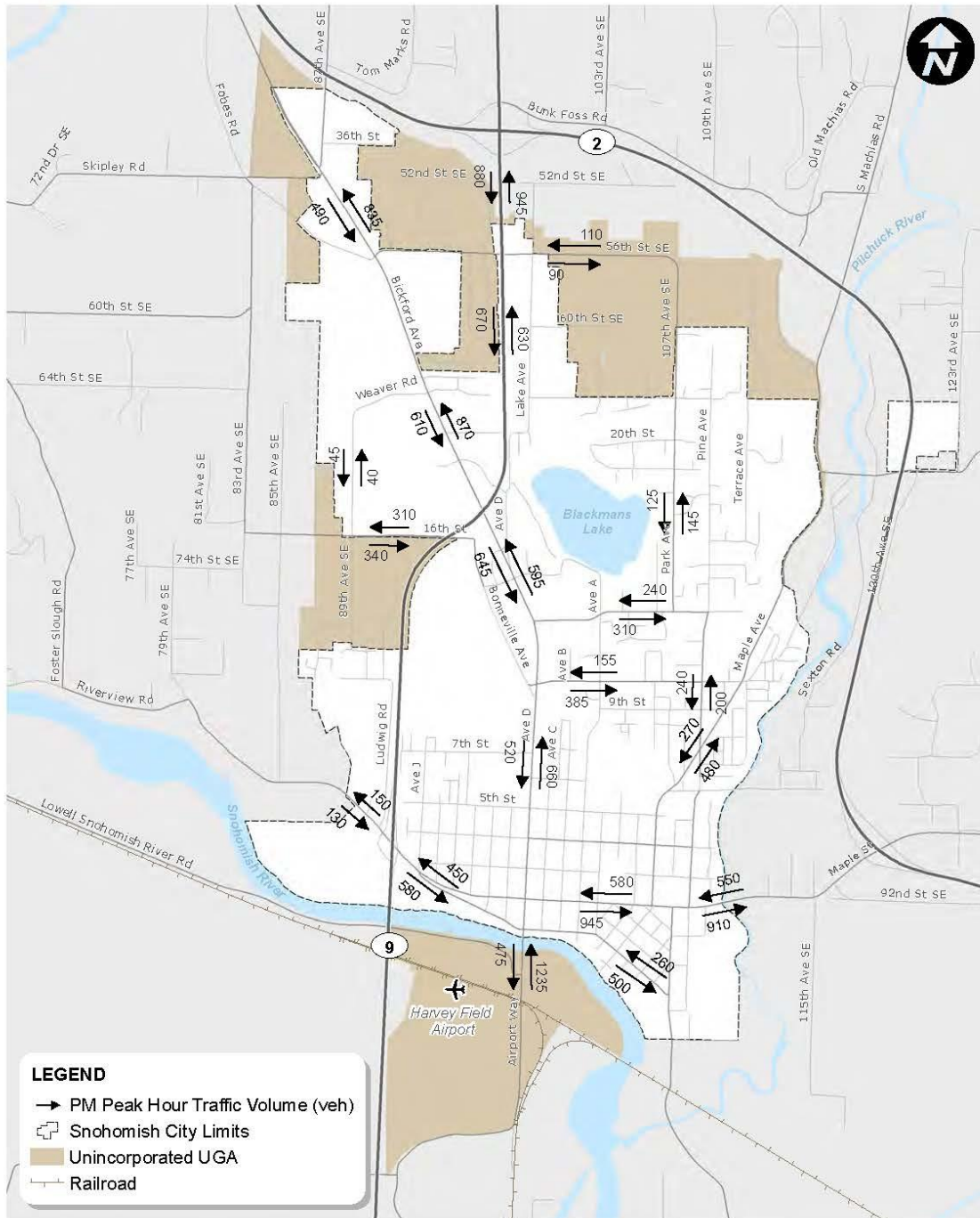
### **Traffic Volumes**

This section of the report describes vehicle traffic volumes on City of Snohomish roadways. Traffic counts were collected at several locations on State Highways and City roadways in June 2014. Traffic volumes in urban areas are typically highest during the weekday PM peak hour. This reflects the combination of commuter work trips, shopping trips, and other day-to-day activities that result in travel between 4:00 and 6:00 p.m., Monday through Friday. Therefore, the weekday PM peak hour is typically used to evaluate transportation system needs. Existing weekday PM peak hour volumes by direction at key locations are shown in Figure 1-3.

Roadways with the highest PM peak hour traffic volumes include Bickford Avenue west of SR 9 where traffic volumes are between 1,325 and 1,480 vehicles per hour. Second Street through downtown also has high traffic volumes between 1,030 and 1,525 for both directions during the PM peak hour.



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### Existing Traffic Volumes

City of Snohomish Transportation Element Update

FIGURE

transpogroup **7**

**1-3**



### **Level of Service Standards**

#### *State Highway Level of Service Standards*

US 2 and SR 9 are state highways serving the City of Snohomish and are designated as highways of statewide significance (HSS). The LOS standards for HSS facilities are set by WSDOT. The LOS standard for facilities in urban areas is LOS D and for facilities in rural areas is LOS C. Both US 2 and SR 9 within the City of Snohomish vicinity are designated as urban and have a LOS D standard.

Cities and counties are required to include the LOS standards for all state routes in the transportation element of their local comprehensive plan. The PSRC certifies the transportation elements of the city and county plans, and ensures that the regional LOS standards are included. PSRC notes that state law is silent on whether agencies include or exempt non-HSS facilities from local concurrency requirements.

WSDOT applies these standards to highway segments, intersections, and freeway interchange ramp intersections. When a proposed development affects a segment or intersection where the level of service is already below the state's adopted standard, then the pre-development level of service is used as the standard. When a development has degraded the level of service on a state highway, WSDOT works with the local jurisdiction through the SEPA process to identify reasonable and proportional mitigation to offset the impacts. Mitigation could include access constraints, constructing improvements, right-of-way dedication, or contribution of funding to needed improvements.

#### *Snohomish County Level of Service Standards*

Snohomish County LOS standards are defined based on arterial operations and not intersection LOS. Level of service along key arterials is measured by calculating corridor travel speeds. LOS standards for key arterials are defined by Snohomish County based primarily on arterial classification, number of lanes, average daily traffic (ADT) and average travel speed. In rural areas LOS standards range from LOS C to LOS D depending on the roadway type. In Urban areas LOS E is considered acceptable.

### **Traffic Operations**

Intersection traffic operations evaluate the performance of signalized and stop-controlled intersections according to the industry standards set forth in the *Highway Capacity Manual 2010* (Transportation Research Board, 2010). Peak hour traffic operations were evaluated at the study intersections based on level-of-service (LOS) methodology, and evaluated using Synchro version 8.0. The PM peak hour intersection operations were selected due to the higher typical traffic volumes occurring during that time period for a single hour between 4 and 6 p.m.

#### *City's Level of Service (LOS) Standards*

Signalized intersection LOS is defined in terms of a weighted average control delay for the entire intersection. Control delay quantifies the increase in travel time that a vehicle experiences due to the traffic signal control and provides a surrogate measure for driver discomfort and fuel consumption. Signalized intersection LOS is stated in terms of average control delay per vehicle.

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Unsignalized intersection LOS criteria can be further reduced into two intersection types present within the City of Snohomish: all-way stop and two-way stop control. All-way stop control intersection LOS is expressed in terms of the weighted average control delay of the overall intersection or by approach. Two-way stop-controlled intersection LOS is defined in terms of the average control delay for each minor-street movement (or shared movement) as well as major-street left-turns.

### *Existing (2014) Intersection LOS*

City of Snohomish LOS standards are identified in the current Comprehensive Plan for arterial roadways within the incorporated areas of the City. For these roadways the standard is LOS E. Existing levels-of-service at key intersections in City of Snohomish are shown Figure 1-4. The results of the LOS analysis indicate that all of the study intersections currently meet City LOS standards, with the exception of the three two-way stop-controlled intersections shown in Table 1-2.

**Table 1-2 Existing Conditions (2014) LOS Summary of Intersections Exceeding City LOS Standards**

Intersection	Intersection Control <sup>1</sup>	2014 PM Peak Hour		
		LOS <sup>2</sup>	Delay <sup>3</sup>	WM <sup>4</sup>
Bickford Avenue / Sinclair Avenue (52nd Street SE)	TWSC	F	67	WB
Bickford Avenue / Weaver Way	TWSC	F	54	EB
Bickford Avenue / 19th Place	TWSC	F	>200	EBL

<sup>1</sup> – TWSC - Two-Way Stop Control

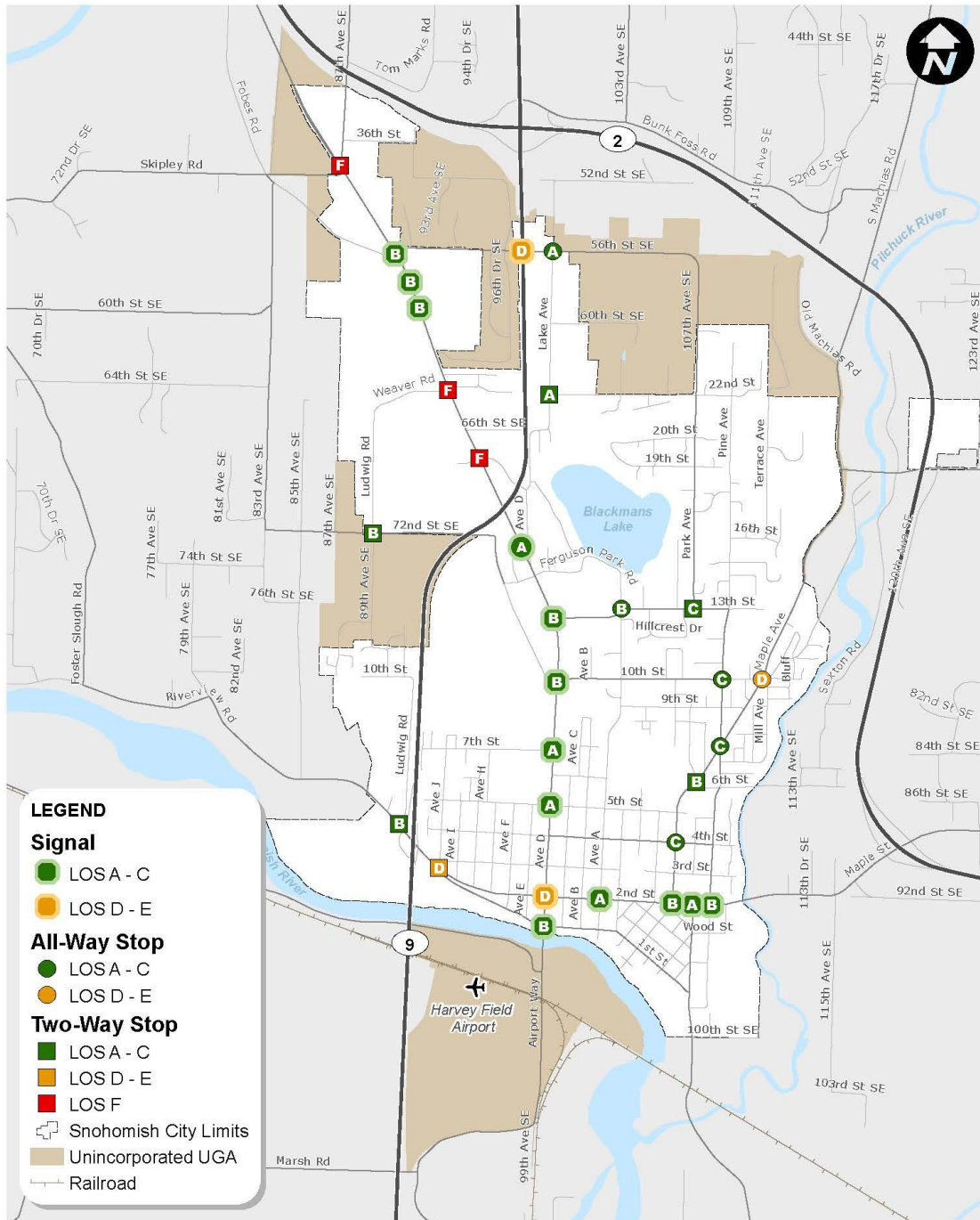
<sup>2</sup> – Level-of-service based on 2010 Highway Capacity Manual methodology.

<sup>3</sup> – Average delay in seconds per vehicle

<sup>4</sup> – Worst movement reported for unsignalized intersections

As shown in the table, the three intersections exceeding the City's LOS standard are two-way stop-controlled intersections that report LOS F for the worst movement at the intersection. These intersections typically involve low-volume side streets that experience high vehicle delays during the PM peak hour.

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### Existing Intersection LOS

City of Snohomish Transportation Element Update

transpogroup

FIGURE

1-4



**Traffic Safety**

Collision records for the most recent complete five-year period were reviewed for all collisions reported in City of Snohomish. Historical safety data was collected from WSDOT for the period of January 1, 2009 to December 31, 2013. A review of collision history was performed to identify potential safety issues for vehicles, pedestrians, and cyclists. The most recent collision data during a five-year period for all roadways in the City of Snohomish, including SR 9, were used for analysis.

Crash rates were compiled by study intersection to identify potentially problematic locations. Crash rates were analyzed to identify the average crash frequency based on the number of vehicles traveling through the study intersections. Intersections that averaged fewer than two collisions per year were not included in the summary tables due to the low number of incidents available to identify crash patterns. The typical measure for determining crash rates at intersections is the number of crashes per million entering vehicles (MEV).

**Critical Crash Rate**

The critical crash rate calculated for each intersection compares that location to other intersections in the City that have similar characteristics. Three groups of intersections were evaluated that included signals, two-way stop-controls, and all-way stop-controls. This is consistent with guidance provided in Chapter 4 of the *Highway Safety Manual* (AASHTO, 2010). Table 1-3 summarizes the factors and calculations used to determine the critical crash rate for the study intersections.

**Table 1-3 Intersections with Crash Rates Exceeding the Critical Crash Rate**

Intersection	Peak Hour TEV <sup>1</sup>	Intersection Control	Observed Crash Rate <sup>2</sup>	Weighted Average Crash Rate <sup>3</sup>	Critical Crash Rate <sup>4</sup>	Observed Greater than Critical?
SR 9 / 30th Street	1,990	Signal	1.49	0.51	0.66	Yes
Avenue D / 2nd Street	2,300	Signal	0.91	0.51	0.65	Yes
Avenue D / 7th Street	1,345	Signal	0.81	0.51	0.69	Yes

1. Total Entering Vehicles.

2. Crashes per MEV.

3. Calculated according to Equation 4-10 in the *Highway Safety Manual*.

4. Calculated according to Equation 4-11 in the *Highway Safety Manual*.

As shown in the table, three intersections had an observed crash rate higher than the intersection's critical crash rate. The locations with observed crash rates exceeding the critical crash rates for signalized intersections include SR 9 / 30th Street, Avenue D / 2nd Street, and Avenue D / 7th Street. No stop-controlled (all-way or two-way) intersections had observed crash rates higher than critical crash rates.

**Collision Summary**

The intersections identified in Table 1-3 have observed crash rates higher than the critical crash rate. Consistent with guidance provided in the *Highway Safety Manual*, these were the locations flagged for further review. The type and severity of reported collisions provides insight into the circumstances that resulted in higher crash rates at these intersections. Table 1-4 summarizes

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the type and severity of reported collisions during the study period at the intersections identified for further review based on the critical crash rate analysis.

**Table 1-4 Collision Types for Intersections Exceeding Critical Crash Rate**

Intersection	Type of Collision						Severity			Total Collisions
	Rear-End	Turning	Fixed Object	Angle	Ped/Bike	Other <sup>1</sup>	PDO <sup>2</sup>	Injury	Fatality	
SR 9 / 30th Street	40	7	0	4	1	2	27	27	0	54
Avenue D / 2nd Street	12	11	1	10	2	2	28	10	0	38
Avenue D / 7th Street	12	1	0	7	0	0	15	5	0	20
<b>Total</b>	<b>64</b>	<b>19</b>	<b>1</b>	<b>21</b>	<b>3</b>	<b>4</b>	<b>70</b>	<b>42</b>	<b>0</b>	<b>112</b>

Data source: WSDOT

1. Other includes sideswipes and parking collisions

2. Property Damage Only

As shown in Table 1-4, rear-end collisions were the most frequent type of crash reported at these intersections. This type of collision is common at signalized intersections, when drivers may rapidly alter vehicle speeds while approaching the intersection in response to signal timing changes or turning vehicles. While there were no recorded fatalities at any of the intersections, there were 42 injury collisions, or approximately one-third of the total collisions at these intersections.

### **Freight Routes**

The Washington State Freight and Goods Transportation System (FGTS) classifies highways, county roads, and city streets according to the average annual gross truck tonnage they carry. Truck tonnage values are derived from actual or estimated truck traffic count data that is converted into average weights by truck type<sup>2</sup>. The FGTS uses five truck classifications, T-1 through T-5, depending on the annual gross tonnage the roadway carries.

- T-1: more than 10 million tons per year
- T-2: 4 million to 10 million tons per year
- T-3: 300,000 to 4 million tons per year
- T-4: 100,000 to 300,000 tons per year
- T-5: at least 20,000 tons in 60 days and less than 100,000 tons per year

Routes with the highest annual gross tonnage, T-1 and T-2 routes, are also identified as Strategic Freight Corridors. US 2 and SR 9 are both designated T-2 routes, along with a short segment of 92nd Street SE between the City limits and the US 2 ramps. Bickford Avenue, 2nd Street, Maple Avenue, Pine Avenue and short segments of other roadways are designated as T-3 and T-4 corridors depending on the amount of freight they carry annually.

The City designates certain street segments as truck routes to limit the impact of heavy vehicles on public streets, transportation corridors, and neighborhoods (Chapter 11.12 SMC). Not all designated truck routes fall under the classifications above.

<sup>2</sup> Washington State Freight and Goods Transportation System (FGTS) 2011 Update. WSDOT. 2011.

**1.2. Transit**

The following section describes the existing service, ridership and facilities provided by Community Transit as well as future plans for service and facilities in the Snohomish UGA. Community Transit currently operates four bus routes providing 53 weekday trips through Snohomish, and maintains 22 bus stops and one park & ride facility. There are also 11 vanpool groups that originate in the City of Snohomish and travel to employment destinations in south Snohomish County and King County.

**Fixed Route Service**

Transit service is operated by Community Transit, which operates four routes through the City of Snohomish.

- **Route 270** – provides local rural service between the Gold Bar and Everett Station, with limited stops in Snohomish and Monroe. There are six morning trips (three to Gold Bar and three to Everett) that stop in Snohomish with a bus departing approximately once every 60 minutes and eight evening trips (four to Gold Bar and four to Everett) that stop at Bickford Avenue / 19th Street and 2nd Street / Pine Avenue in Snohomish.
- **Route 275** – provides local feeder service between Monroe and Everett Station. This bi-directional, all-day service operates with a bus departing about once an hour between approximately between 5:30 a.m. and 9:30 p.m. weekdays, and between approximately 7 a.m. and 7 p.m. on Saturdays. Routes 270/275 combine to provide a bus every 30 minutes weekdays during the morning and afternoon commutes between Monroe and Everett Station.
- **Route 277** – provides in-county commuter service between Gold Bar and the Everett Boeing Plant, Monday through Friday. This peak-period, peak-directional service provides two morning trips to Everett and two afternoon trips to Gold Bar with stops in Snohomish at the Snohomish Park & Ride and 2nd Street / Pine Avenue.
- **Route 424** – provides commuter service between the Snohomish Park & Ride and downtown Seattle, via SR 522, Interstate 405 and SR 520. This peak-period, peak directional service provides two morning trips to Seattle and two afternoon trips to Snohomish.

These routes serve both local communities and commuters and the most recent ridership data available from Community Transit are summarized in Table 1-5.



## **ACTION ITEM 7a**

**Table 1-5 Existing Fixed Route Ridership Summary**

<b>Route</b>	<b>Description</b>	<b>Type of Service</b>	<b>Average Weekday Daily Boardings</b>
270	Local service between Gold Bar and Everett Station	Weekday, Saturday	315
275	Local service between Monroe and Everett Station	Weekday, Saturday	433
277	Commuter service between Gold Bar and Everett Boeing Plan	Weekday	105
424	Commuter service between Snohomish Park & Ride and Downtown Seattle	Weekday	154

As shown in the table, Route 275 has the highest average weekday boardings (433 daily) of the four transit routes with stops in the City of Snohomish. Figure 1-5 shows the transit routes currently operating in City of Snohomish.

### **Paratransit Service**

Community Transit also provides paratransit services for patrons who cannot use fixed-route bus services due to disability, in accordance with the Americans with Disabilities Act (ADA). This service provides curb-to-curb paratransit service within  $\frac{3}{4}$  mile of all local fixed-routes during hours of fixed-route operation. Community Transit currently provides Dial-A-Ride Transit (DART) paratransit service to over 4,000 registered disabled patrons, with an average daily ridership of more than 600. Paratransit service requirements are strongly tied to the local, all-day service network. As local service expands or contracts in geographic coverage and span, DART operations are adjusted in response. DART service is operated under contract with Senior Services of Snohomish County.

### **Vanpool Program**

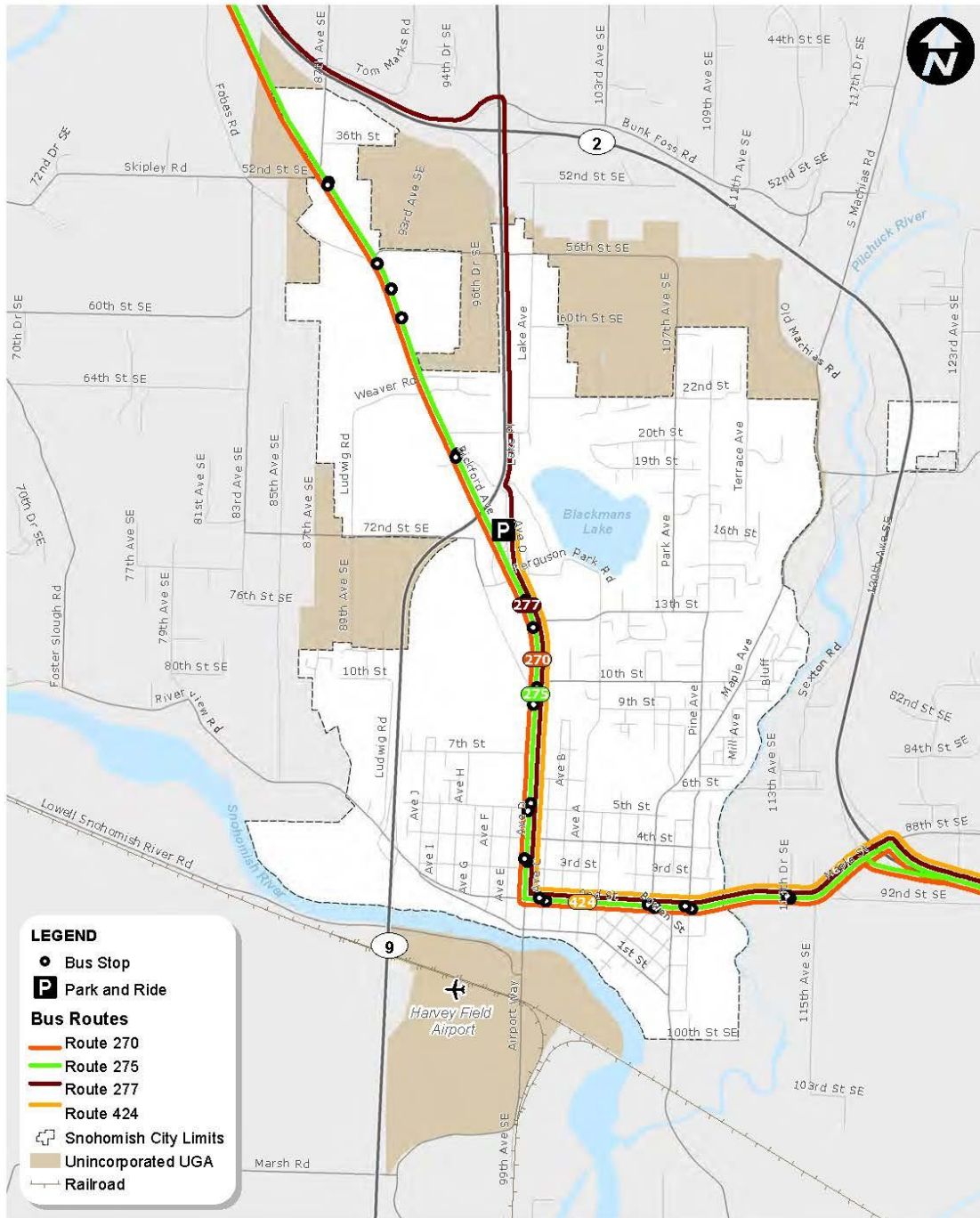
Community Transit's vanpool fleet of more than 400 vans is one of the largest in the nation. A vanpool is a group of 5 to 15 riders who begin or end their trip in Snohomish County. There are currently 11 vanpool groups that originate in Snohomish.

### **Park-and-Ride**

The Snohomish Park & Ride is located at the intersection of State Route 9 and Bickford Avenue. This facility has 102 parking stalls with a 35 percent occupancy rate and it has bicycle facilities.



## **ACTION ITEM 7a**



### Existing Transit Service

City of Snohomish Transportation Element Update

FIGURE

transpogroup **7**

**1-5**

**1.3. Non-Motorized**

The non-motorized transportation network consists of facilities for residents and visitors to participate in active transportation modes and recreational activities in the City of Snohomish. A combination of on-street facilities and off-street pathways provide the core network for walkers, cyclists, and other non-motorized users to travel. These facilities can be used for many of the same purposes as personal vehicles and transit, including commuter travel, grocery store trips, and other errands within the City. Non-motorized facilities, particularly off-street pathways, are also used for recreational trips or for access to parks and other recreational destinations.

The existing non-motorized facilities documented in this section of the Plan include data collected from the Puget Sound Regional Council (PSRC) for regional non-motorized facilities, in addition to local data. The existing pedestrian and bicycle facilities have been updated to include non-motorized facilities that have been constructed since the 2004 City of Snohomish Transportation Plan.

**Types of Facilities**

Non-motorized facilities in the City of Snohomish include a range of types that are suited for pedestrians, cyclists, and other non-motorized users.

*Sidewalks*

Sidewalks are the primary pedestrian facility within downtowns and developed areas. Along with off-street trails, sidewalks are the primary facility type for pedestrians. Cyclists may also use sidewalks within many of these jurisdictions provided they yield right-of-way to pedestrians. Sidewalks within the City of Snohomish are typically provided on both sides of the street in the downtown and adjacent neighborhoods. Figure 1-6 shows the existing sidewalks on one or both sides of the street in the City.

*On-Street Facilities*

On-street facilities include the bicycle lanes, striped shoulders, and shared roadways that comprise the non-motorized facilities on State Highways and City roads. On-street bike facilities are described in the following sections and shown in Figure 1-7.

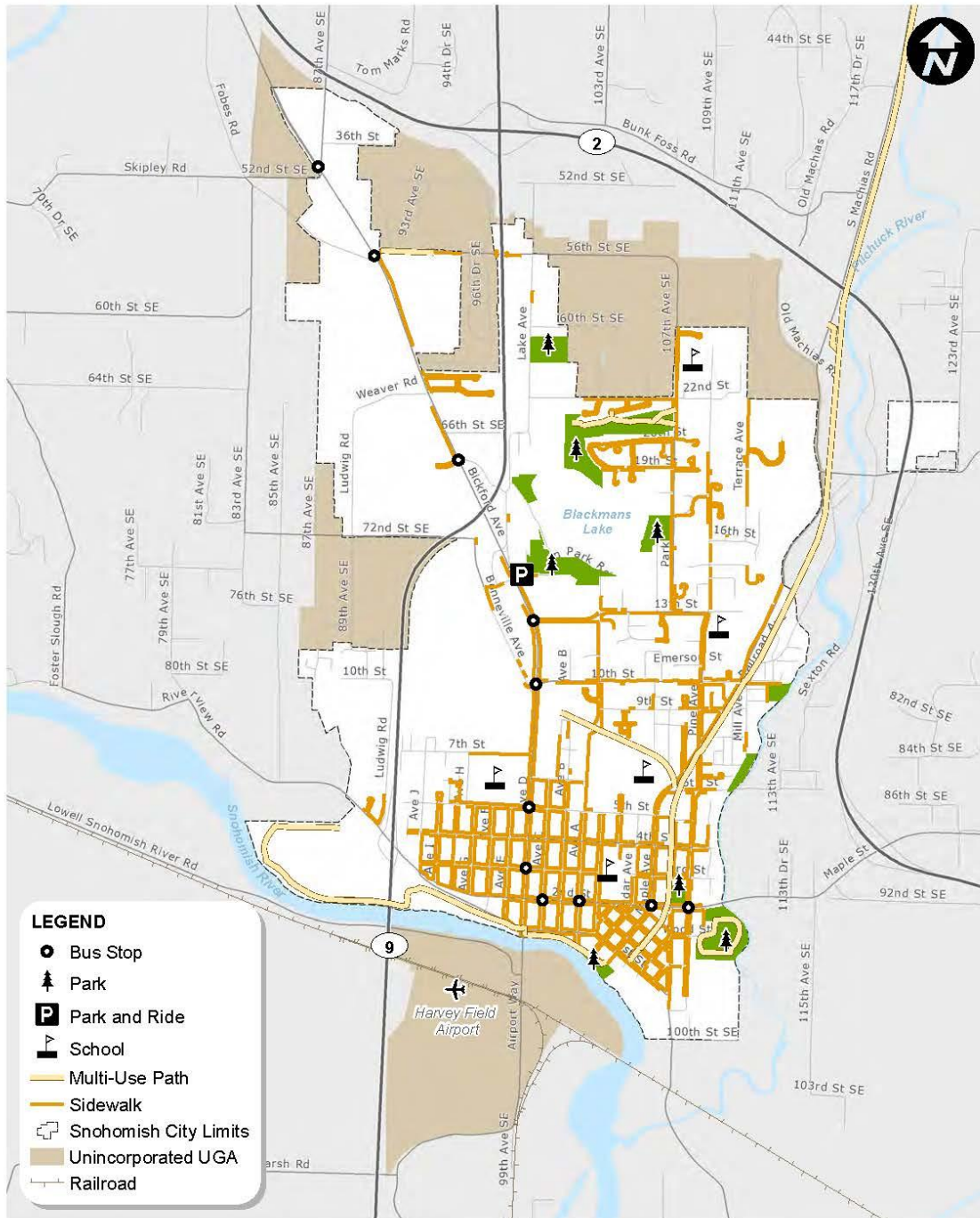
*Bicycle Lanes*

Bicycle lanes are dedicated striped roadway space for cyclists that are typically in both directions on the edge of the traveled way. They are marked with a wide white stripe and range from 4 to 6 feet in width. The City of Snohomish has a bicycle lane on 30th Street, east of Bickford Avenue.

*Striped Shoulder*

Striped shoulders are on the edge of the traveled way where there is a reasonable distance available for pedestrians and cyclists to travel with minor impact to motor vehicles. For the purposes of this plan, this facility type only includes roadways with striped shoulders greater than 4 feet wide. Striped shoulders with more than 4 feet of usable width are typically available for non-motorized use, while narrower striped shoulders often result in non-motorized users being forced into the other travel lanes.

## **ACTION ITEM 7a**



**Existing Pedestrian Facilities**

*City of Snohomish Transportation Element Update*

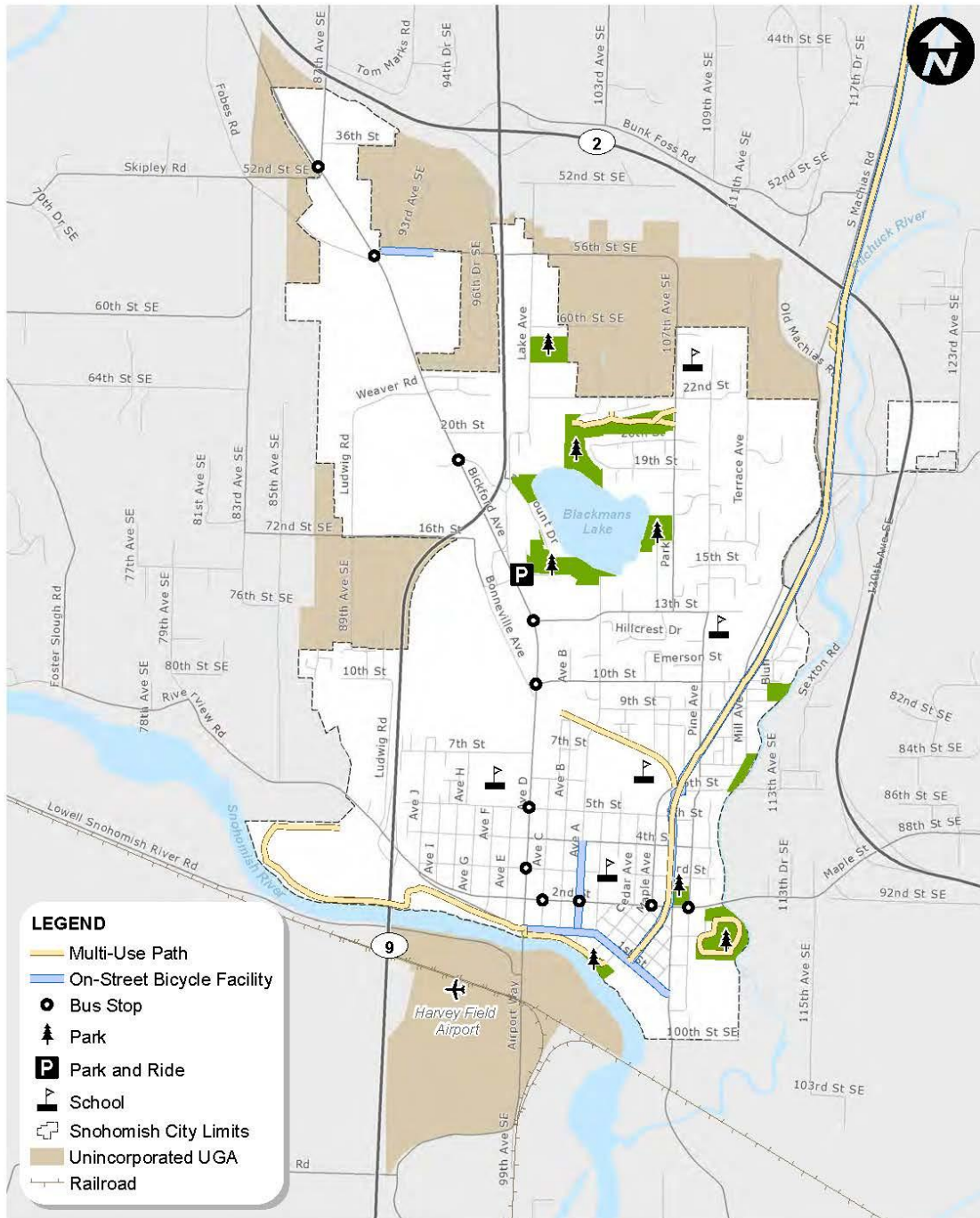
FIGURE

transpogroup **7**

**1-6**



## **ACTION ITEM 7a**



### Existing Bicycle Facilities

City of Snohomish Transportation Element Update

transpogroup

FIGURE

1-7

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### *Shared Roadway*

Shared roadways include roadways with striped shoulders less than 4 feet wide, roadways without striped shoulders, and roadways with curbs. On shared roadways, non-motorized users share the travel lane with motor vehicles. Shared roadways may include shared lane markings, or sharrows, that indicate the proper lane position for cyclists, outside the "door-zone" next to parked cars or several feet off the curb away from drainage systems. The City has sharrows on 1st Street from Avenue D to Lincoln Avenue and on Avenue A from 1st Street to 4th Street.

### *Off-Street Facilities*

Off-street facilities include multiuse pathways and unpaved trails that are used by all types of non-motorized users. These facilities are generally used for recreational purposes, but may also serve commuter and utility travel between neighborhoods and to surrounding areas. Standard trails are separated from the roadways and vary in width from approximately 5 feet to 12 feet wide. ADA access is provided on many trails, but some may not include these features.

Existing shared-use pathways, used by both pedestrians and bicyclists, are shown in Figure 1-6 and Figure 1-7. The Centennial and Interurban Trails are the two primary multiuse trails within the City. The Centennial Trail is 12-foot wide paved multiuse pathway on abandoned railroad right-of-way that extends through the eastern portion of the City and north to the Snohomish–Skagit County line. The Interurban Trail is another off-street facility, but is an unpaved, dirt trail that crosses east-west within the City of Snohomish.

## **2. Travel Forecasts Evaluation**

The City of Snohomish maintains its transportation system to accommodate future growth and development. GMA requires that the transportation planning horizon be at least ten years in the future. For the 2015 Transportation Plan, the City decided that a longer-range horizon should be used and selected 2035 as the forecast year for travel. The longer-range horizon year allows the City to better plan for and scale transportation facilities that are needed as the City changes over the next two decades. The year 2035 also corresponds to the current planning horizon for the Comprehensive Plan overall and associated population and employment forecasts adopted in the Snohomish County Countywide Planning Policies.

A citywide travel demand model was developed to inform the City's transportation planning efforts. The travel demand model provides a tool for forecasting traffic volumes based on the projected growth in housing and employment. The model is also useful in evaluating transportation system alternatives.

### **2.1. Land Use Forecasts**

Future land use allocations are based on anticipated changes to population and employment types and densities within City limits, UGA, and adjacent areas. The small area land use forecasts for the City and unincorporated UGA are allocations of the City's growth targets adopted in the Snohomish County Countywide Planning Policies that are consistent with the Land Use Designation Map. Outside the UGA, assumptions of growth in the study area are based on Puget Sound Regional Council (PSRC) large area employment and population forecasts. The estimated distribution of future land uses generates various types of trips that are applied to the transportation network in the travel demand model. Small area land use forecasts developed as part of the travel demand model are intended for planning purposes only and not to restrict or require specific land use actions.

Future forecasts must incorporate growth in travel demand entering and exiting the City to develop a consistent picture with neighboring jurisdictions and regional growth strategies. These travel demands external to the City are based on regional and citywide population and employment trends. PSRC maintains land use targets for large geographies called Forecast Analysis Zones (FAZs), which were used as control totals in the development of the model. Total 2035 housing and employment projections are the same as those adopted for the City and its UGA in the Snohomish County Countywide Planning Policies.

To develop existing and forecast travel demand, FAZ boundaries were subdivided and combined with the City's land use data as smaller Traffic Analysis Zones (TAZs) that better fit the transportation system of the City. The result is a land use model within the travel demand model that reflects an estimate of current conditions and planned future conditions. More detailed assumptions for land use growth and "external" traffic growth are available in the *City of Snohomish Travel Demand Model Documentation*, Transpo Group, 2015.

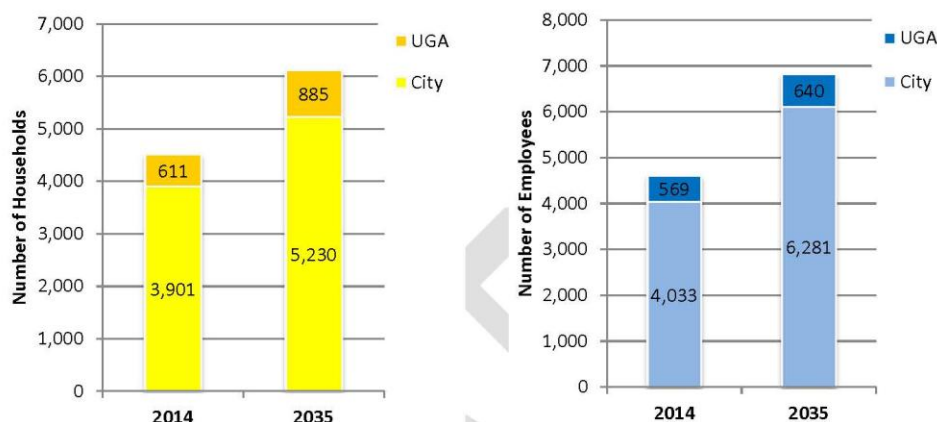


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Land use forecasts within the City and UGA show an overall increase in the number of households (i.e. available housing units regardless of occupancy<sup>3</sup>) and employees between 2014 and 2035. The City is anticipated to increase by approximately 1,330 households and 2,075 jobs, while the UGA is expected to add approximately 275 households and 135 jobs. Figure 2-1 shows the existing and forecast land use for the City and UGA.



**Figure 2-1 2014 and 2035 Household and Employment Growth for the City and UGA**

As shown in the figure, the UGA makes up a smaller portion of the overall number of households and employees but is anticipated to add growth along with the City. Combining the City and UGA shows the Snohomish area is forecast to have approximately 6,115 total households and 6,921 total employees by 2035. A breakdown of the growth in households and employment is shown in Table 2-1.

**Table 2-1 Change in 2014 Existing and 2035 Forecast Land Use**

Planning Area	Households				Employment			
	2014	2035	Difference	% Change	2014	2035	Difference	% Change
City	3,901	5,230	+1,329	34%	4,033	6,281	+2,248	56%
UGA	611	885	+274	45%	569	640	+71	12%
<b>Total</b>	<b>4,512</b>	<b>6,115</b>	<b>+1,603</b>	<b>36%</b>	<b>4,602</b>	<b>6,921</b>	<b>+2,319</b>	<b>50%</b>

As shown in the table, the forecast for number of households for the City and UGA are forecast to increase by more than one-third over the planning horizon. Employment growth is forecast to

<sup>3</sup> *Current Population Survey (CPS) – Definitions*. US Census Bureau.  
Available at: [www.census.gov/cps/about/cpsdef.html](http://www.census.gov/cps/about/cpsdef.html)



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have a greater increase inside the City, but increase by approximately half for the City and UGA.

The following sections describe household and employment changes in greater detail through land use districts (identified in Figure 2-3 and Figure 2-5 as areas labeled “A” through “I”) and through descriptions of the housing mix and employment sectors in the City and UGA.

### **Households**

Projected household growth is anticipated to occur mostly within the existing City limits where about 1,300 new households are expected between 2014 and 2035. While household growth in the UGA area is anticipated to grow by 45 percent, that represents only 15 percent of total growth across the planning area. The type of household in the City of Snohomish is anticipated to change over the planning horizon of the Comprehensive Plan as shown in Figure 2-2.



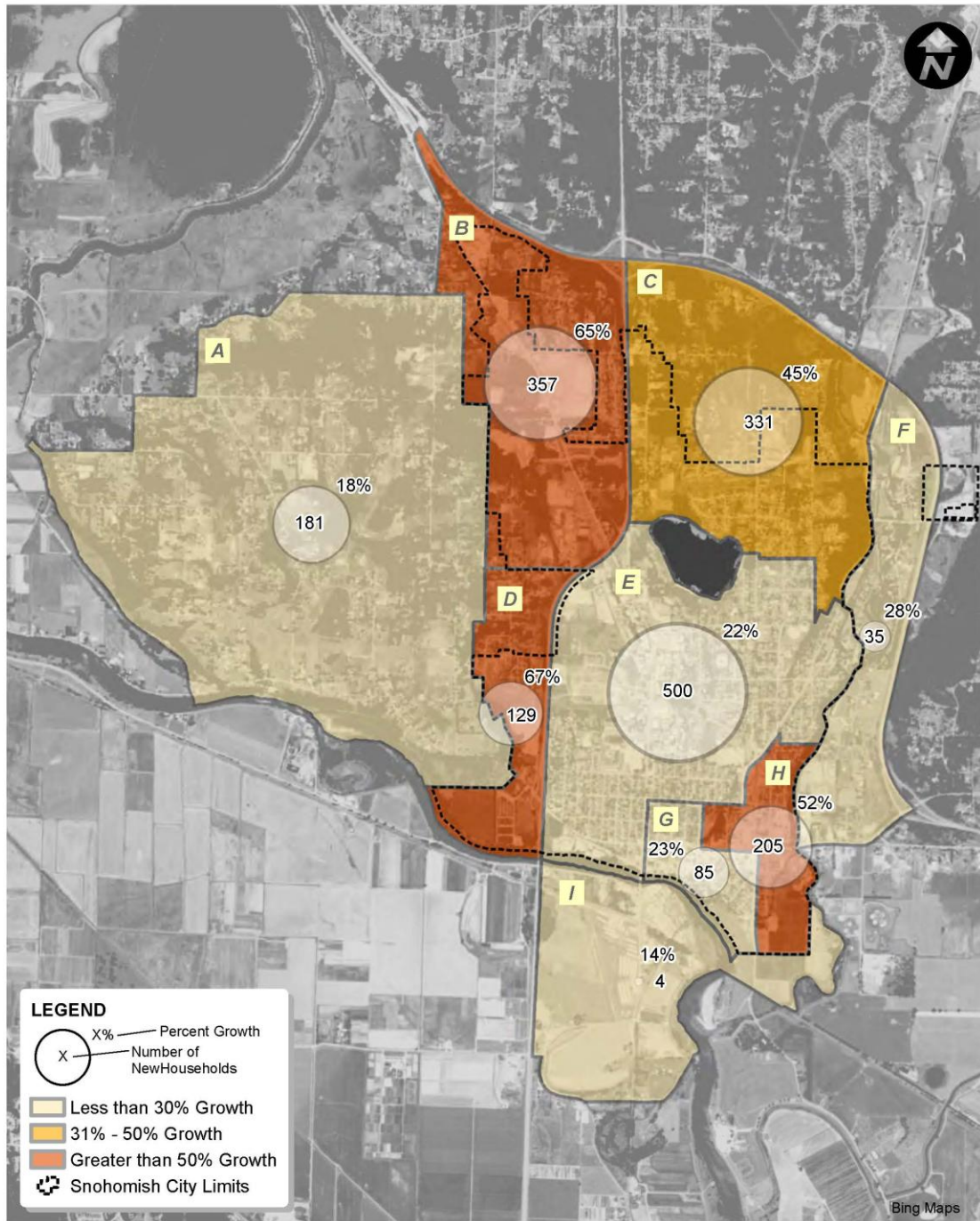
**Figure 2-2 2014 and 2035 Housing Mix in the City and UGA**

The housing mix in the combined City and UGA is expected to increase the share of multifamily households as compared to single-family residences. As shown in the figure, multifamily households are anticipated to make up 39 percent of 2035 households. However, the change represents only 5 percent of a shift in housing mix within the City and UGA.

Figure 2-3 illustrates household and employment growth by districts throughout the planning area. The circles on the figure represent the total number of new households anticipated within the district between 2014 and 2035. For example, in the central portion of the City (District E) there are 500 new households forecast for this area. This represents a 22 percent increase over the planning horizon, which is represented by the shading of the district area.

As shown in the figure, the highest household growth percentages are in the Bickford Avenue subarea (District B), west of SR 9 within the UGA (District D), and the Pilchuck District (District H). While these areas are projected to have some of the highest growth percentages, the majority of new households are anticipated to be located in the central, north, and northwest areas of the City.

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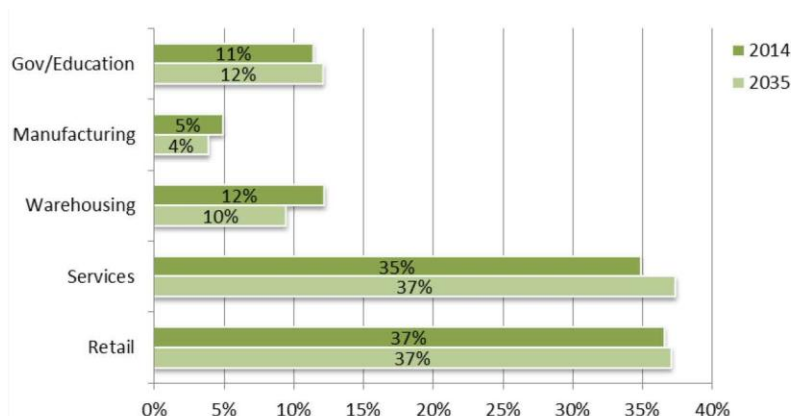
**Housing Growth by District**  
City of Snohomish Transportation Element Update

FIGURE  
**2-3**  
transpogroup

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### **Employment**

Employment growth is anticipated to occur mostly within the existing City limits, constituting over 90 percent of the total employment growth between 2014 and 2035. Outside the City limits, employment growth is between 3 and 6 percent and accounts for approximately 1,275 total jobs in 2035. The types of jobs are also anticipated to change over the planning horizon as shown in Figure 2-4.



**Figure 2-4 2014 and 2035 Employment Sectors in the City and UGA**

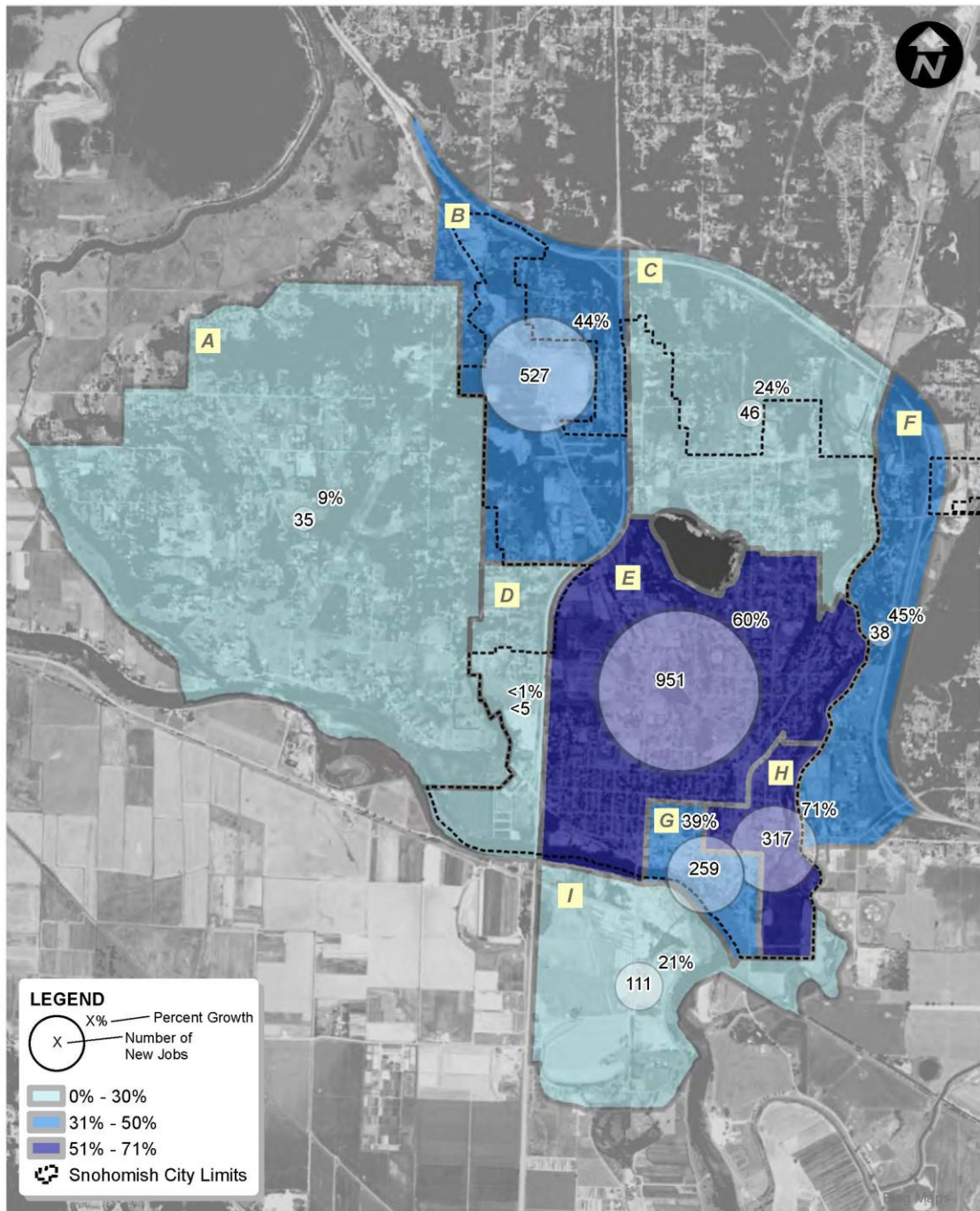
The employment sectors in the City and UGA are not expected to change much between 2014 and 2035. The changes that are anticipated include more government/education, service, and retail jobs as a share of total employment in 2035. These employment sectors are anticipated to make up approximately 86 percent of all jobs in the City and UGA in 2035.

Figure 2-5 illustrates employment growth by land use districts that aggregate totals for areas within the City and UGA. Similar to the household growth map (Figure 2-3) the circles represent the number of new jobs anticipated between 2014 and 2035, while the shading of the district area represents the growth percentage.

More than 2,000 new jobs are expected by 2035 within the City. The areas with the highest increase in jobs include the central City (District E), Bickford Avenue subarea (District B), and the Pilchuck District (District H). Of these, both the central city and Pilchuck District are anticipated to have job growth by at least 60 percent over the planning horizon.



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**Employment Growth by District**

City of Snohomish Transportation Element Update

transpogroup **7**

FIGURE

**2-5**

**2.2. 2035 Forecast Travel Conditions**

Forecast travel conditions estimate where future bottlenecks may occur based on future travel demand. Travel demand is based on anticipated changes to land use and the types of trips generated based on the population and employment allocations described in the previous section. The aggregation of those trips on City roadways provides planners with a future snapshot of the transportation system as a whole.

The future baseline transportation system is evaluated under forecast travel conditions and includes committed transportation system projects – those currently under construction or fully funded. This network serves as a base for developing the intersection and roadway projects described in the Transportation Systems Plan (Chapter 3).

**Traffic Volumes**

Traffic volumes in urban areas are typically highest during the weekday PM peak hour. This reflects the combination of commuter work trips, shopping trips, and other day-to-day activities which result in travel between 4:00 and 6:00 p.m., Monday through Friday. Therefore, the weekday PM peak hour is typically used for evaluating transportation system needs. The forecast traffic volumes show moderate changes in overall growth relative to capacity on City roadways. The highest areas of growth are on Bickford Avenue and within the downtown area.

A comparison of 2014 and 2035 traffic volumes for several roadways in the City is shown in Figure 2-6. Locations with the greatest increases in PM peak hour traffic volumes (in both directions) include heavily traveled roadways and arterials. Bickford Avenue is forecast to have increases of approximately 295 vehicles (from 1,325 to 1,620) and 2nd Street through downtown shows a large increase of 335 vehicles (from 1,030 to 1,525) between 2014 and 2035.

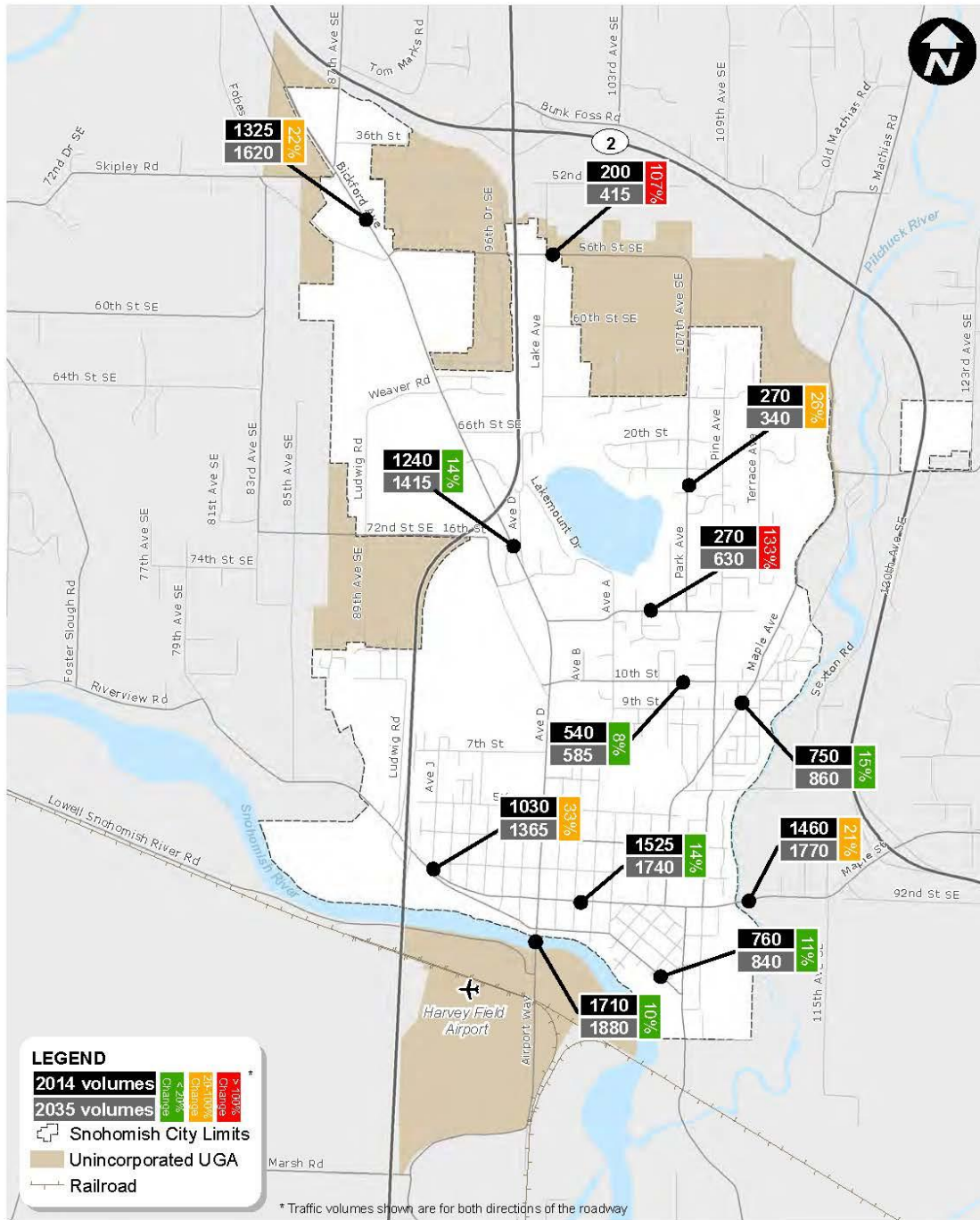
Roadways with large increases to the percentage of vehicle volumes are located on roadways with relatively low volumes because even small increases in traffic on these roadways represent large percentage increases. Roadways that are forecast to more than double existing volumes include 30th Street, where volumes more than double from 200 to 415 vehicles, and 13th Street where volumes are forecast to increase by approximately 133 percent (from 270 to 630).

Forecast weekday PM peak hour volumes by direction at key locations are shown in Figure 2-7.

**Baseline Evaluation**

The 2035 baseline model network was developed to establish a framework for the Transportation Plan and to identify future traffic operational deficiencies. No committed capacity improvements, defined as improvements anticipated to be funded by 2035, were identified within the study area or assumed in the future baseline network.

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### Traffic Volume Growth (2014 - 2035)

City of Snohomish Transportation Element Update

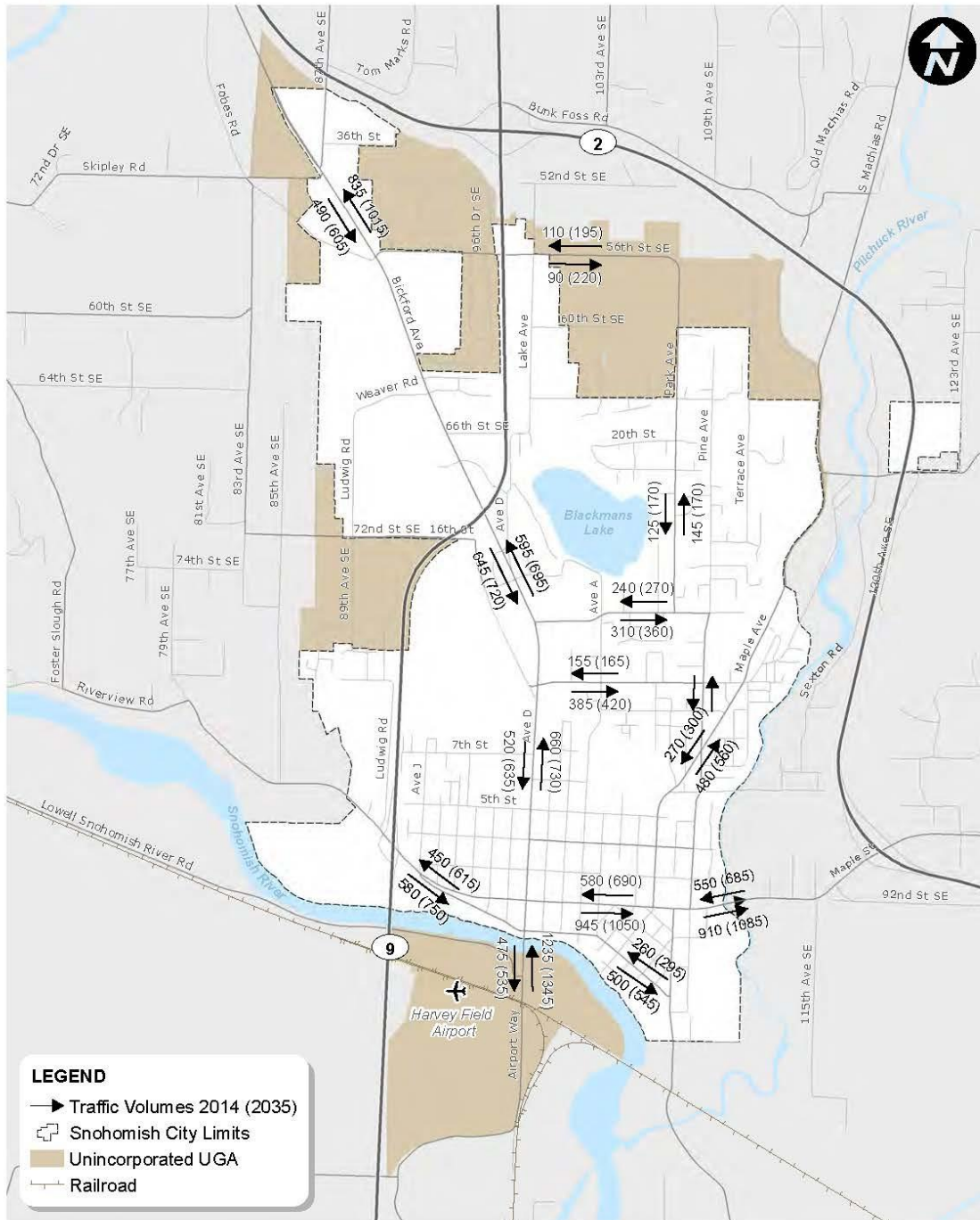
transpogroup

FIGURE

2-6



## **ACTION ITEM 7a**



**Forecast Traffic Volumes**  
City of Snohomish Transportation Element Update

FIGURE  
2-7  
transpogroup **7**

**Roadway Capacities**

The 2035 baseline model includes a roadway capacity that provides an estimated volume-to-capacity (v/c) ratio that is used to identify general areas where weekday PM peak hour volumes approach or exceed the capacity of the roadway. A roadway with a v/c ratio of 1.0 is assumed to be at capacity. As vehicle volumes approach peak roadway capacity, travel times and vehicle delays typically increase. While this does not necessarily mean the roadways would need widening, it does mean that these sections of roadway may need to be monitored closely. These delays, when occurring at intersections, lead to lower a level-of-service and can trigger the need for concurrency. Intersection related capacity concerns are discussed more in detail in the following section. The baseline model identified two roadway sections with potential roadway capacity constraints within the 2035 planning horizon.

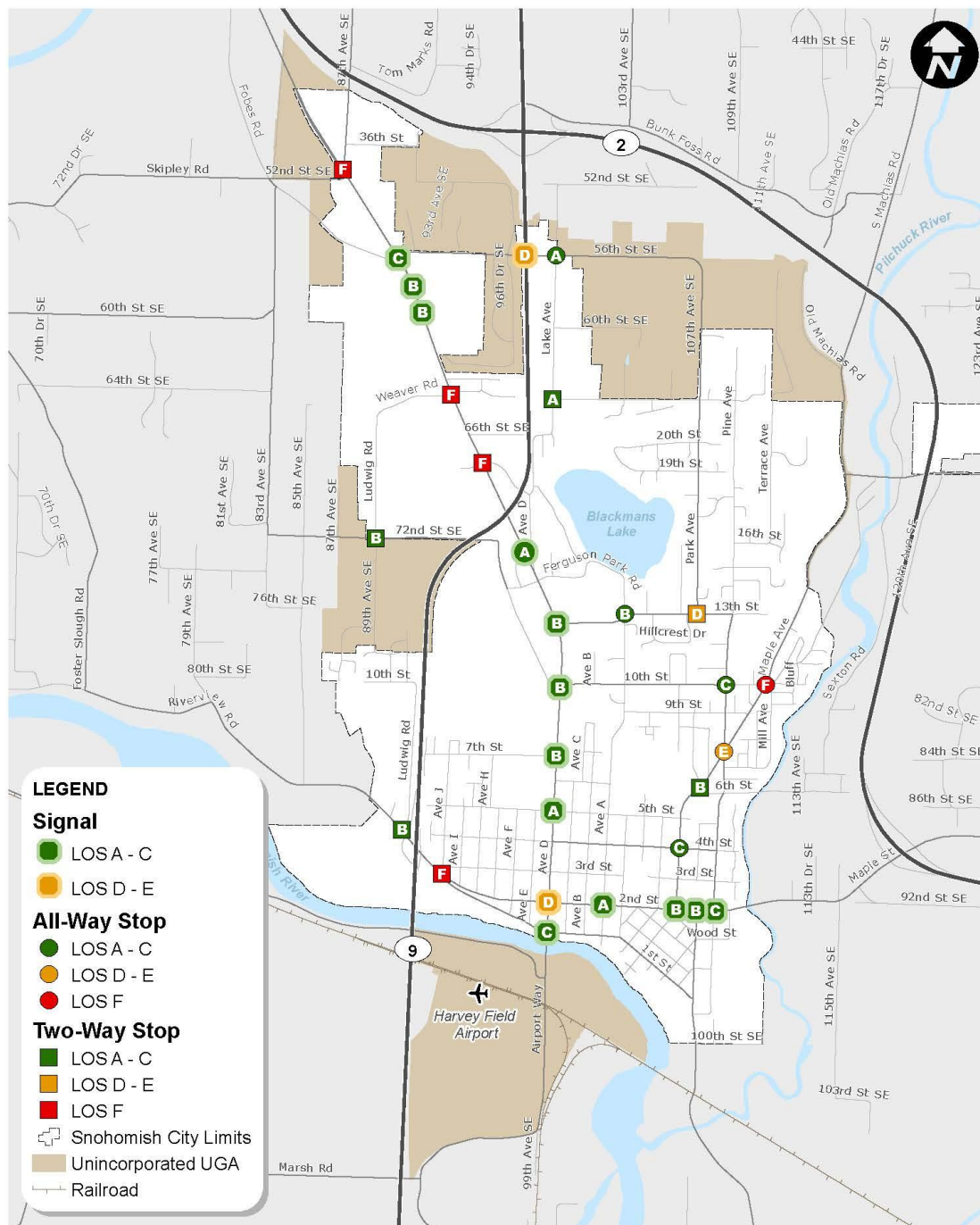
- Maple Avenue, between 10th Street and Three Lakes Road, is estimated to have potential capacity constraints in the northbound direction based on forecast v/c ratios between 1.01 and 1.03 from the 2035 baseline model. Travel patterns indicate heavy commuter travel for people heading to residential areas north and east of the City. Many of these trips are linked with commercial areas within the City. The City's model indicates that approximately 15 percent of this traffic is cut-through (meaning no stops within the City) primarily to the south and west
- The 2nd Street corridor, between Pine Avenue and US 2, is estimated to have potential capacity constraints in both directions based on forecast v/c ratios between 0.92 and 0.94 from the 2035 baseline model. This indicates an even mix of City employment and City residencies that commute to/from areas east of the City. The traffic model indicates that approximately 20 percent of this traffic is cut-through (primarily to/from the south and west), meaning no stops within the City.

Both street segments are primarily outside the City and UGA, and City improvements alone could not address the potential roadway capacity concerns. As such, no remedy is currently warranted or proposed. The City's intersection level of service standard does not evaluate roadway capacity and such conditions would not, in isolation, specify the transportation network components as failed.

**Intersection LOS**

As described in the Existing Conditions section, intersection traffic operations evaluate the performance of signalized and stop-controlled intersections according to the industry standards set forth in the *Highway Capacity Manual 2010* (Transportation Research Board, 2010). Peak hour traffic operations were evaluated at the study intersections based on level-of-service (LOS) methodology, and evaluated using Synchro version 8.0.

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**2035 Forecast Level of Service**

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transpogroup **7**

FIGURE

**2-8**



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City of Snohomish LOS standards are identified in the Comprehensive Plan for arterial roadways within the incorporated areas of the City. For these roadways the City has historically maintained an adopted standard of LOS E. The results of the LOS analysis indicate that all of the study intersections will meet City LOS standards with existing configurations and controls, with the exception of the unsignalized intersections shown in Table 2-2. The forecast levels of service (LOS) for all the intersections reviewed under forecast conditions are shown Figure 2-8.

**Table 2-2 Forecast Conditions (2035) LOS Summary of Intersections Exceeding City LOS Standards**

Intersection	Intersection Control <sup>1</sup>	2014 PM Peak Hour			2035 PM Peak Hour		
		LOS <sup>2</sup>	Delay <sup>3</sup>	WM <sup>4</sup>	LOS <sup>2</sup>	Delay <sup>3</sup>	WM <sup>4</sup>
Bickford Avenue / Sinclair Avenue	TWSC	F	67	WB	F	>200	WB
Bickford Avenue / Weaver Way	TWSC	F	54	EB	F	>200	EB
Bickford Avenue / 19th Place	TWSC	F	>200	EBL	F	>200	EBL
Maple / 10th Street	AWSC	D	30	-	F	53	-
Avenue J / 2nd Street	TWSC	D	32	NB	F	134	NB

<sup>1</sup> – TWSC - Two-Way Stop Control, AWSC - All-Way Stop Control

<sup>2</sup> – Level-of-service based on 2010 *Highway Capacity Manual* methodology.

<sup>3</sup> – Average delay in seconds per vehicle

<sup>4</sup> – Worst movement reported for unsignalized intersections

As shown in Figure 2-8 and Table 2-2, three of the intersections on Bickford Avenue forecasted to exceed the City's LOS standard in 2035 operate at LOS F under 2014 existing conditions. Traffic volumes on the minor legs of these intersections experience high vehicle delays during the PM peak hour and are anticipated to worsen in the future. The two remaining intersections operate at LOS D under 2014 existing conditions and are expected to exceed the City's LOS standard by 2035 during the PM peak hour.

### **2.3. Transit**

Transit service Snohomish County is expected to continue being provided by Community Transit in 2035. The *Long Range Transit Plan*<sup>4</sup>, which is anticipated to be updated in 2015, contains the transit agency's 20-year vision and establishes the standards and policies to support it. The future transit network built around a corridor-based, fixed-route transit system. While Community Transit also provides paratransit (DART), vanpool, transportation demand management (TDM)/Commute Trip Reduction (CTR), and ride-matching services, the influence of future transit service in the City of Snohomish will be based on fixed-route service.

#### **Future Service and Facilities**

The City of Snohomish worked with Community Transit to identify potential corridors to prioritize transit in the City and UGA. These transit emphasis corridors are arterial streets, highways, or freeways where high levels of transit service are already operated or may be operated in the future. The future regional network is shown in Figure 2-9.

<sup>4</sup> Community Transit. 2011.

## **ACTION ITEM 7a**



Figure 2-9 2030 Multimodal Network (Community Transit)

Two corridors in the area were identified through this process, which does not yet have full funding: US 2 (Everett to Monroe) and SR 9 (Arlington to King County).

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- **US 2 (Everett to Monroe)** – This corridor provides an important link in east Snohomish County. The ultimate transit service planned for this corridor is 15 minute commute hour (peak-period and peak-directional) service, in addition to 30 minute all-day bidirectional service. Routes on this corridor through the City are anticipated to use Bickford Avenue, Avenue D, and 2nd Street to deviate from US 2.
- **SR 9 (Arlington to King County)** – The ultimate transit service planned for this corridor is express services linking the cities of Arlington, Marysville, Lake Stevens, Snohomish, Bothell, and unincorporated Snohomish County in the Cathcart/Maltby area. Several details for service on this corridor are ongoing. Routes on this corridor are anticipated to remain on SR 9 through the City of Snohomish.

As the main transit provider in Snohomish County, Community Transit seeks to implement long-term corridor-based fast, frequent and reliable fixed-route transit service in the City of Snohomish. The following points summarize considerations for expanding the role of transit service as part of the City's future transportation system:

- As development occurs and traffic congestion increases, buses will need effective priority paths to maintain fast, frequent, and cost effective service. Infrastructure needs may include improvements such as queue-jumps, transit signal priority, transit priority lanes, and other transit priority infrastructure along designated transit emphasis corridors.
- Some traffic calming and pedestrian improvements are not compatible with transit operations, if not designed to accommodate buses. Particular attention to transit needs may include coordinating with Community Transit when designing future road improvements on arterials that have existing and planned transit service.
- Access to transit via walking, bicycling, and driving requires consideration when making infrastructure improvements and locating future developments. As SR 9 is improved, work to maintain effective and efficient access to the Snohomish Park & Ride. Public facilities and private developments requiring transit access can also take advantage of existing designated transit corridors such as Avenue D and 2nd Street.



### **2.4. Non-Motorized**

The non-motorized transportation network within the City of Snohomish and its UGA serves pedestrians, cyclists, and other types of non-motorized users. The future non-motorized transportation network contained in the Transportation Plan builds upon previous planning efforts that have identified future routes for bicyclists and pedestrians. These plans identify future pedestrian and bicycle routes for the City of Snohomish through a combination of on-street facilities and off-street pathways provide the core network for walkers, cyclists, and other non-motorized users to travel.

The *Parks Recreation and Open Space Long-Range Plan* (City of Snohomish, 2015) identifies a phased approach to the expansion of the City's multiuse trail network, along with proposed trail cross-sections for construction. For the northwest section of the City, the *Bickford Subarea Plan* (City of Snohomish, 2006) identifies roadway cross-sections with bicycle lanes and sidewalks. A countywide effort to summarize future bicycle routes is included in the *Snohomish Bike Facilities Map* (Snohomish County, 2015) that coordinates proposed City bikeways with the regional network.

#### **Future Types of Facilities**

The future non-motorized network in the City of Snohomish builds on the existing pedestrian and bicycle networks described in the Existing Conditions. Future facilities for walking and bicycling expand on the types of facilities already present in the City, which include sidewalks, bicycle lanes, striped shoulders, shared roadways, and multiuse pathways. In addition to those facilities, future non-motorized facilities in the City of Snohomish may include:

- **Neighborhood Greenways** – Residential streets off of main arterials with low volumes of cars designed to provide a safe and pleasant travel priority for people walking and bicycling. A network of neighborhood greenways can benefit from specific signage, traffic calming and diverters to create a low street environment for non-motorized travel.
- **Crossing Treatments** – Where multiuse pathways and roadways prioritizing non-motorized travel cross busy arterials, high-visibility crossing treatments such as Rectangular Rapid Flashing Beacons (RRFBs), Pedestrian Hybrid Signals (PHBs), median refuge island, and curb bulb-outs improve safety for all roadway users.
- **Cycle Tracks (protected bike lanes)** – A bicycle facility that is physically separated from vehicle traffic and distinct from the sidewalk that provides a high quality experience on roadways with higher traffic volumes and speeds. These have been installed in medium and large cities across the country with increasing adoption as an alternative to on-street bicycle lanes.
- **End of Trip Facilities** – Pedestrians and bicyclists benefit from facilities that improve the experience of walking down the street or parking a bicycle at the end of a trip. Street furniture and bicycle racks in areas with high non-motorized activity are part of a safe, convenient, and accessible non-motorized network of facilities.

These types of facilities constitute a portion of the potential options for non-motorized travel within the City of Snohomish. The specific application of the type of facility or specific treatment

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depends on overlapping demands for the location, available right-of-way, and a range of other considerations.

### **Plan Framework**

The baseline evaluation summarized in this chapter informs a framework for the City to establish a long-range multimodal transportation plan. The framework builds from the City's prior Comprehensive Plan as well as other agency transportation improvement programs. Key elements of the framework plan include:

- Connector roads to improve circulation and reduce traffic impacts on the arterial system;
- Intersection improvements along roadways experiencing congestion, such as Bickford Avenue and Maple Street;
- Non-Motorized improvements to improve connectivity, comfort and convenience; and
- Coordination with other agencies to ensure transit, county, and state projects are incorporated into the future transportation system.

### 3. Transportation Systems Plan

The transportation system improvements provide a long-range strategy for the City of Snohomish to address current and forecast transportation conditions and needs. The planned improvements contained in this chapter are recommended to safely and efficiently accommodate the projected growth in population and employment within the City and its UGA. The recommended improvements are based on analyses of the existing transportation system, forecasts of future travel demands, anticipated availability of funding resources, and the desire of the community to create a transportation system that prioritizes community livability.

#### 3.1. Transportation Projects & Programs

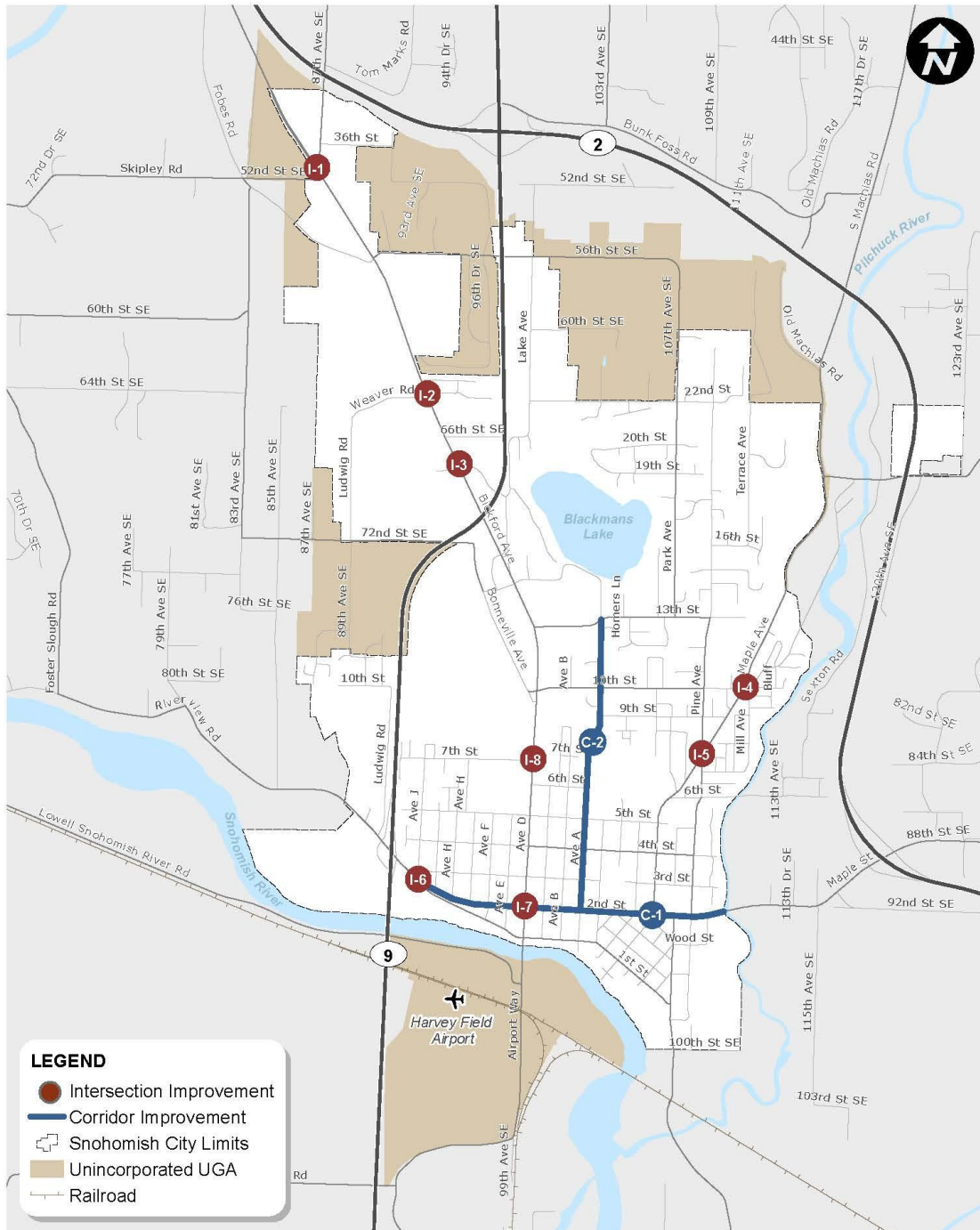
Regional roadways and local streets provide for the overall movement of people and goods, for a wide range of travel modes. Streets and highways serve automobile trips, trucks, transit, vanpools, carpools, and bicycle and pedestrian travel. Therefore, the streets and highways establish the framework for the overall transportation system for the City. Based on an evaluation of existing and forecast traffic volumes, traffic operations, safety, and circulation needs, a recommended list of transportation improvement projects and programs are identified. The project list is organized into the following categories:

- **Intersection Improvements** include upgrading intersections through added turn lanes or modifications to traffic controls. Where applicable, improvements may also include upgrading traffic signals and implementing Intelligent Transportation Systems (ITS), which could encompass modifications to vehicle detection and coordinated signal timing.
- **Corridor Upgrades** include modifying roadways to current City design standards and incorporating multimodal improvements to serve higher traffic volumes and non-motorized travel.
- **Active Transportation** improvements add pedestrian and bicycle facilities to roadways or construct off-street multiuse pathways to complete gaps in the existing non-motorized network.
- **Other Agency** improvements include projects developed by other agencies that enhance the City's transportation system.
- **Citywide Programs** includes maintenance and operations and an annual pavement preservation project.

Figure 3-1 and Table 3-1 identify each of the projects and their locations. Table 3-1 provides a brief description of each project including the project limits. The table identifies projects that are currently part of the City's six-year Transportation Improvement Program (TIP). This highlights the projects that are currently identified for planning, design, or construction. A project identification number is provided for each project that is referenced in Figure 3-1.



## **ACTION ITEM 7a**



### Transportation System Improvements

City of Snohomish Transportation Element Update

transpogroup **7**

FIGURE

**3-1**

## **ACTION ITEM 7a**

City of Snohomish  
Draft Transportation Master Plan

May 2015

**Table 3-1 Transportation System Improvements**

Type	ID	Project Location	Total Cost Estimate	Relative Priority	Time Frame
Intersection / Operations	I-1	Bickford Avenue / Sinclair Avenue (52nd Street SE)	\$1,470,000	Low	Long
	I-2	Bickford Avenue / Weaver Way	\$590,000	High	Short
	I-3	Bickford Avenue / 19th Place	\$890,000	High	Short
	I-4	Maple Avenue / 10th Street	\$830,000	Medium	Mid
	I-5	Pine Avenue / Maple Avenue	\$1,280,000	Medium	Mid
	I-6	Avenue J / 2nd Street	\$460,000	Medium	Mid
	I-7	Avenue D / 2nd Street	\$240,000	Medium	Mid
	I-8	Avenue D / 7th Street	\$520,000	Low	Long
Corridors	C-1	2nd Street from Avenue J to City Limits	\$1,110,000	Medium	Mid
	C-2	Avenue A from 2nd Street to 13th Street	\$8,730,000	Low	Long
Active Transportation	A-1	Pedestrian Network improvements to install approximately 10 new miles of sidewalk.	\$10,960,000	High	Short
	A-2	Multiuse Pathways program to install approximately 4 miles of new or improved pathways.	\$2,010,000	Medium	Short
	A-3	ADA Transition Plan to determine Citywide approach to upgrades.	\$100,000	High	Short
	A-4	Bicycle Lane program to install approximately 15 miles of new or retrofitted bike lanes.	\$8,190,000	Medium	Short
	A-5	Neighborhood Greenways program to install sharrows and traffic calming devices on approximately 10 miles of roadway.	\$3,400,000	Medium	Short
Other Agencies	O-1	US Highway 2 – Everett to Monroe	-	-	-
	O-2	State Route 9 – Arlington to King County	-	-	-
	O-3	State Route 9 Corridor Projects	-	-	-
	O-4	Eastside Rail Corridor	-	-	-
Citywide Programs	P-1	Maintenance & Operations	\$27,300,000	-	Ongoing
	P-2	Transportation Benefit District - Pavement Preservation and Overlay	\$2,310,000	-	Ongoing
	P-3	Transportation Benefit District – Pavement Preservation component of Capital Improvements	\$2,310,000	-	Ongoing
<b>Total Project Costs</b>			<b>\$72,700,000</b>		



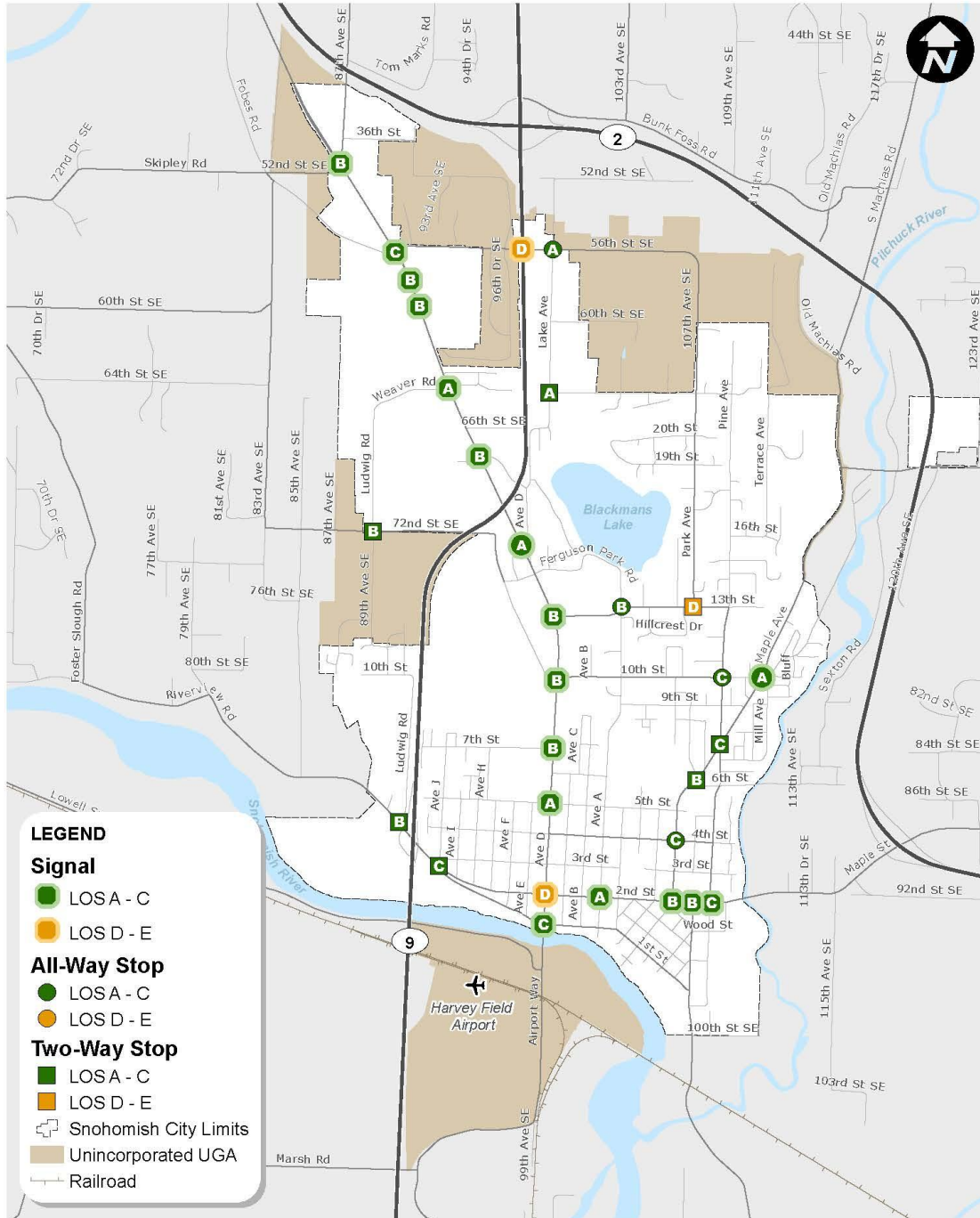
**Intersection Improvements**

Intersections with capacity or safety issues, identified under existing or forecast conditions, have projects that fit into this category. These projects include adding turn lanes or modifications to traffic control at intersections. Where applicable, intersection improvements may also include upgrading traffic signals and implementing Intelligent Transportation Systems. Intersection 2035 LOS results with the completion of these intersection improvement projects are shown in Figure 3-2.

Three intersections with operational or capacity issues are on Bickford Avenue in the northwest corner of the City. Two-way stop-controlled intersections at Sinclair Avenue (34th Street), Weaver Way, and 19th Street operate at LOS F today and are anticipated to worsen in the future. There are already signals along Bickford Avenue at 30th Street, the Fred Meyer entrance, and the Home Depot driveway. Providing signal coordination along this segment of the corridor and adding new signals at one or more of the intersections operating at LOS F would improve traffic flow for all roadway users. The following points describe these three intersections in greater detail, particularly focusing on the options for intersection control (two-way stop-control, signal, or roundabout):

- **Bickford Ave/Sinclair Avenue (52nd Street) (Project I-1)** – This intersection operates at LOS F today, but the primary concern at this location is reducing skewed approaches on Sinclair Avenue and 34th Street/52nd Street SE onto Bickford Avenue. A roundabout would require significant realignment of the minor street legs, while a future signal would not require this. To address the immediate safety concern at this location and to accommodate a future signal at this intersection, this project is to bring the southwest leg of the intersection perpendicularly into the intersection.
- **Bickford Ave/Weaver Way (Project I-2)** – This intersection operates at LOS F today but does not currently meet signal warrants. Existing constraints, including nearby buildings, sidewalks, curbs, and other infrastructure, indicate a signal would have significantly less impact than a roundabout. Roadway grades on the minor leg approaches could increase the impact of a roundabout beyond the immediate vicinity of the intersection. This project includes installation of a new signal at this intersection when warrants are met.
- **Bickford Avenue/19th Street (Project I-3)** – The intersection operates at LOS F today and does meet signal warrants. There is a heavy westbound right-turn during the evening peak hour. Interim improvements such as a slip/acceleration northbound lane on Bickford Avenue for this movement could improve operations. This intersection is geometrically already configured fairly well for a signal, when warrants are met, with the exception of the east approach. Improvements at this intersection will need to be coordinated with a WSDOT project to realign 20th Street and the intersection with SR 9. Given these points, this project does not preclude a roundabout at this location and is included in the cost estimate as the more conservative intersection improvement.

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**2035 With Improvements PM Peak Hour Level of Service**

City of Snohomish Transportation Element Update

transpogroup

**FIGURE**

**3-2**

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Two locations along Maple Avenue are identified for improvement due to intersection capacity issues under forecast conditions. These intersections at 10th Street and at Pine Avenue have overall intersection delays that are acceptable today, but are estimated to operate at LOS F and LOS E, respectively, in the future. These projects include ongoing evaluation of these locations as they approach the intersection LOS standard.

- **Maple Avenue/10th Street (Project I-4)** – This intersection currently operates at LOS D, but is anticipated to operate at LOS F under forecast conditions. A mini-roundabout could be installed at this intersection with some modifications to the intersection approaches to allow traffic to circulate through the intersection. As part of the ongoing monitoring of this intersection, a traffic signal or larger roundabout may be introduced if traffic volumes are greater than estimated under forecast conditions.
- **Pine Avenue/Maple Avenue (Project I-5)** – This intersection currently operates at LOS C, but is anticipated to operate at LOS E under forecast conditions. While still within the LOS standard, the skewed configuration of this intersection makes it challenging for certain vehicle movements. Separating this single, skewed intersection into two T-intersections by realigning Pine Avenue is recommended as a project that reduces pedestrian crossing distances and improves right-turns from Maple Avenue.

Three other locations are identified for improvement due to deficient LOS and safety concerns; one on Avenue J and two on Avenue D.

- The **Avenue J/2nd Street (Project I-6)** intersection is anticipated to operate at LOS F under forecast conditions. This is a challenging location due to steep grades and limited sight distance for the minor streets. The proposed project would eliminate northbound minor street movements on 1st Street and direct them to the Avenue D / 2nd Street intersection. As a result of this change, a small section of 1st Street would be converted one-way eastbound near the intersection.
- Two intersections along Avenue D at **2nd Street (Project I-7)** and **7th Street (Project I-8)** are identified as locations with potential safety concerns due to the number of driveway accesses in the vicinity. The projects identified for these locations are primarily safety focused and include upgrades to the traffic signal and implementation of access management strategies.

### **Corridor Upgrades**

These projects include upgrading and widening of roadways to City standards to provide turn lanes at major access locations as well as improvements to non-motorized facilities. These projects are intended to serve both the growth in vehicular traffic, as well as the range of non-motorized users through the addition of multimodal facilities. Two roadways were identified for corridor upgrades and are expected to serve as examples of complete streets in the City.

- **2nd Street (Project C-1)** – 2nd Street is a vital east-west connection through the City that serves both local and regional traffic. This project would restrict parking along 2nd Street near unsignalized intersections to improve sight distance for vehicles and pedestrians. The project also includes curb bulbs at both existing and future marked



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crosswalks. In addition, signals would be coordinated through new interconnect cables at Avenue D, Avenue A, Maple Avenue, Lincoln Avenue and Pine Avenue to improve traffic flow through the corridor.

- **Avenue A (Project C-2)** – This roadway is a critical north-south corridor in the City that is anticipated to serve future growth and accommodate multiple travel modes. Avenue A currently changes width in several locations and does not have consistent non-motorized facilities. In addition, this key corridor that connects downtown to residential neighborhoods does not have curb and gutter along much of its length. This project would upgrade the corridor to existing City roadway standards, including provisions for sidewalks and bicycles.

### **Active Transportation**

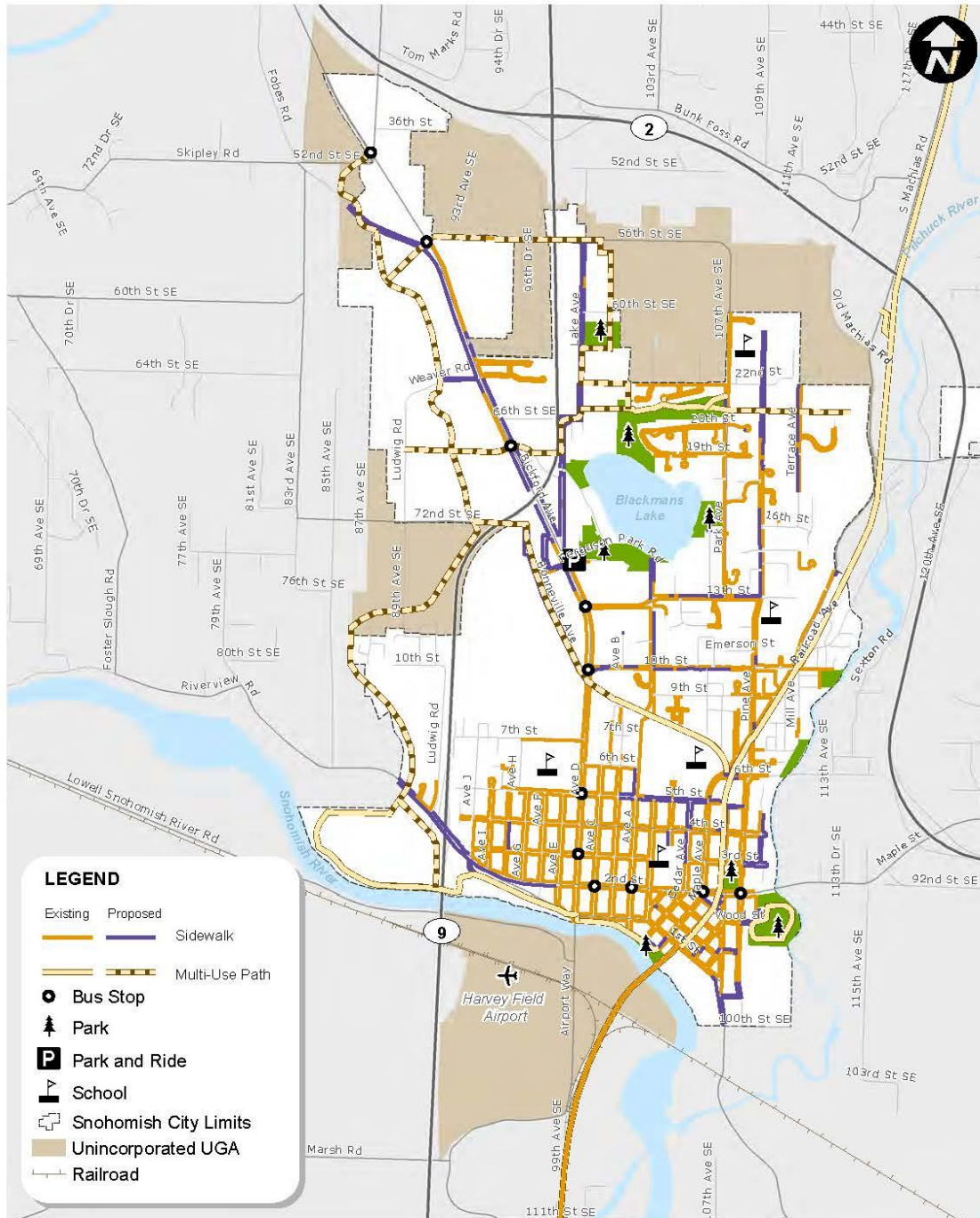
Active transportation is drawing increased focus within local, state and federal planning circles as smart growth, active living, growth management, and sustainability programs stress smarter decision-making and place greater importance on system connectivity. The quality of connectivity for active transportation modes is inversely related to the number and severity of environmental and infrastructure barriers to walking and bicycling. The physical barriers that affect travel behavior occur at the neighborhood level and these barriers take many forms. Significant barriers to connectivity include inadequate networks (lack of optional routes) or disconnected routes, rail lines, freeways or major arterials, and natural features such as rivers or steep terrain.

A viable active transportation network consists of connections to pedestrian generators, such as major employers, the downtown, schools, residential areas, parks, and transit stops. Land use and neighborhood street design patterns can also form barriers to pedestrian travel. For example, long block lengths and the lack of mid-block crossings cause pedestrians to travel further to reach local destinations, often resulting in a decision to utilize a vehicle for short trips that would otherwise be completed on foot. Connectivity to schools, transit stops, parks, and other destinations were used to identify critical gaps in the pedestrian and bicycle networks to be included in these active transportation plans.

**Pedestrian Network (Projects A-1 and A-2)** improvements add sidewalks to roadways or construct multiuse pathways for pedestrians to complete gaps in the existing pedestrian network. This ongoing program would be funded to complete the pedestrian network shown in Figure 3-3. This program would account for potential sidewalk and path improvements, driveway reconstruction, curb and gutter construction, and landscaped buffers.

An area of focus is in relation to Title II of the American with Disabilities Act (ADA), which requires local agencies to conduct what is known as a Self-Evaluation and Transition Plan. As part of the development of the citywide pedestrian network, a strategy to address Snohomish's plan for complying with federal ADA requirements is needed. A program to establish an **ADA Transition Plan (Project A-3)** includes funding for the inventory of existing barriers in the pedestrian network, and recommendations for upgrading pedestrian ramps, pedestrian pushbuttons at signals, and relocation of objects within the minimum space for pedestrians. Implementation of the recommendations would be a separate phased project.

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**Citywide Pedestrian Network**  
City of Snohomish Transportation Element Update

transpogroup

FIGURE  
**3-3**



## **ACTION ITEM 7a**

**Bicycle Network (Projects A-4 and A-5)** improvements expand travel options for residents by providing safe, comfortable places to ride a bicycle for all types of trips. The bicycle network shown in Figure 3-4 includes a range of investments to facilitate and increase the number of bicycling trips. Specific bicycling improvements may include widening shoulders on existing or planned roadways, installing shared lane markings to indicate where cyclists will be present in travel lanes, or developing multi-use pathway for bicyclists and other users. Snohomish County is currently updating its bicycle network as part of the 2015 Comprehensive Plan. The development of the bicycle network also considers the bicycle routes that were developed for that plan in coordination with the City of Snohomish.

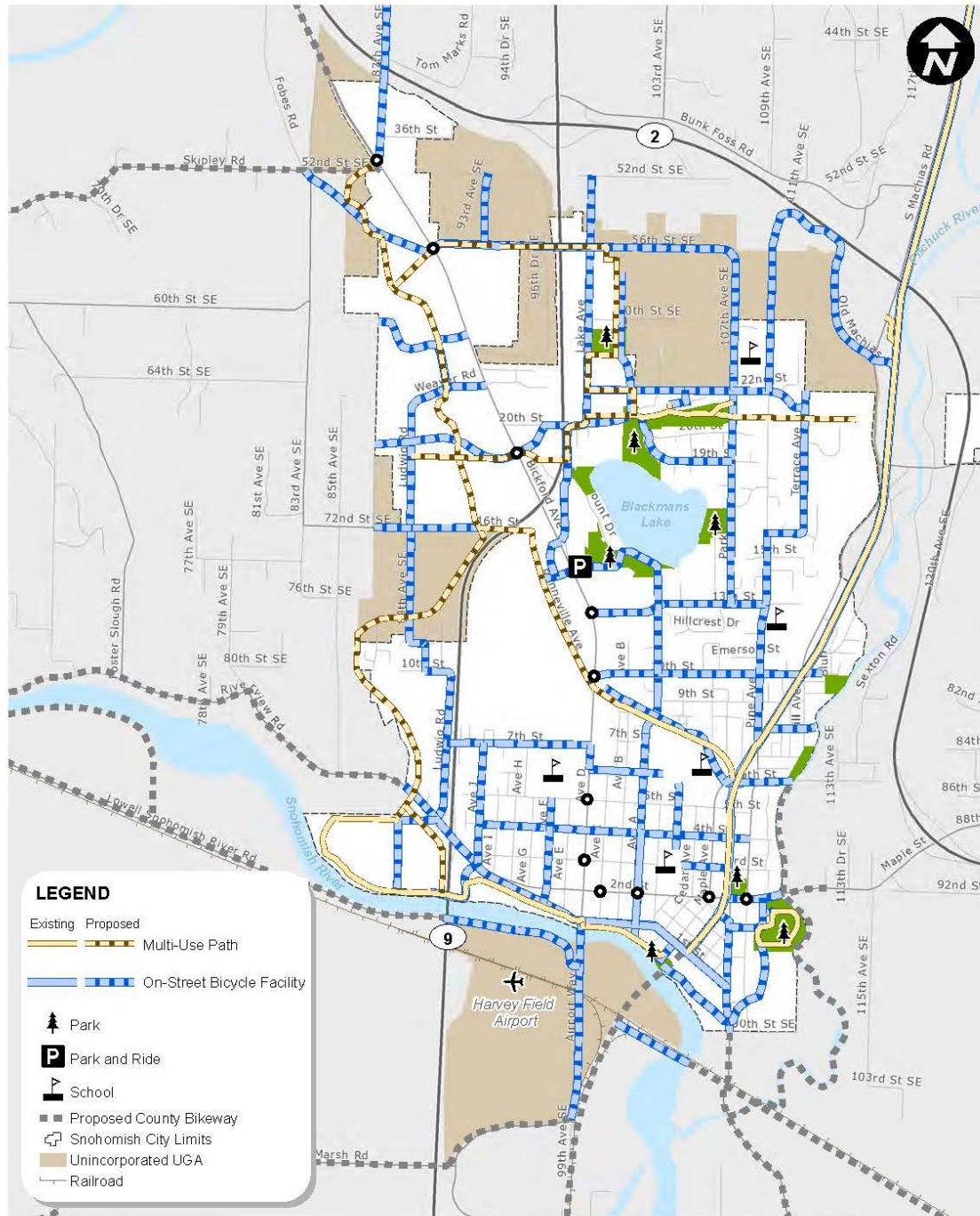
The type of bicycle facility depends on a range of factors that indicate the safety, comfort, and convenience of routes chosen by experienced and novice bicyclists. The roadway characteristics that most strongly influence the type of bicycle facility are vehicle travel speeds and volumes, which closely correlate with the functional classification of that roadway. Table 3-2 provides guidance on the type of bicycle facility selected for roadways on the bicycle network based on these characteristics.

**Table 3-2 Bicycle Facility Selection Guidance**

<b>Bicycle Facility Designation</b>	<b>Bicycle Facility Types</b>	<b>Functional Classification</b>	<b>Posted Speed Limit</b>	<b>Average Daily Traffic (ADT)</b>
Multi-Use Pathway	Paved Pathway, Crushed Gravel Trail	Off-Street	N/A	N/A
On-Street Bicycle Facility	Protected Bicycle Lane	Minor Arterial	25 - 45 mph	15,000 or more
	Bicycle Lane, Buffered Bicycle Lane	Collector	25 - 35 mph	15,000 or less
Neighborhood Greenway	Shared Lane Markings, Bicycle Route Signage	Local Street	25 mph or less	3,000 or less

The bicycle facilities shown in the table provide general guidance for the type of facility that should be installed on the bicycle network. Separated multiuse pathways and on-street facilities could be constructed with other roadway projects or independently. On-street facilities represent a range of project types that may include shoulder widening, roadway restriping, or widening to include new protected or buffered bicycle lanes. Other factors include presence of on-street parking, availability of alternative routes, and presence of large vehicles.

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### Citywide Bicycle Network

City of Snohomish Transportation Element Update

FIGURE



3-4

## **ACTION ITEM 7a**

### **Other Agency Projects**

Other Agency improvements include projects developed by other agencies that impact the City's transportation system.

The **State Route 9 Corridor Projects (Project O-1)** led by WSDOT are anticipated to continue over the planning horizon of the Transportation Plan. SR 9 is a highway corridor that accommodates regional traffic, supports the local economy, and provides the only north-south alternative to I 5 from Snohomish County to Canada. Projects identified on SR 9 will address existing and future operational deficiencies in a manner that is cost effective and sensitive to the environment.

The **Eastside Rail Corridor (Project O-2)** will extend the Centennial Trail south from the City of Snohomish to the King County line within the railroad right of way, paralleling the existing rail alignment. The new 12-mile trail segment will serve pedestrians and bicyclists. Dual use is anticipated within the 100-200 foot wide corridor as freight trains continue to serve businesses in the area.

### **Citywide Programs**

Citywide programs include ongoing transportation costs within the City of Snohomish. The **Maintenance & Operations (Project P-1)** program includes an annual budget over the planning horizon for completing a range of pothole repairs, pavement patching, shoulder restoration and mowing, crack sealing, sign replacements, striping and other maintenance tasks. The two other programs are based on Transportation Benefit District (TBD) funding that has an end date of 2021. The TBD programs are separated into **Pavement Preservations and Overlays (Project P-2)** that are completed as part of ongoing maintenance and **Pavement Preservation component of Capital Improvements (Project P-3)**.



## **4. Financing Program**

The list of transportation improvement projects must be funded and implemented to meet existing and future travel demands in and around the City of Snohomish. Estimated project costs and future revenues are presented and options to fund the projects are described in this section. Implementation strategies are discussed and include items such as coordination with WSDOT, Snohomish County, and Puget Sound Regional Council (PSRC) to prioritize and fund regional improvements. The implementation plan sets up the framework for the City to prioritize and fund the improvements identified in the transportation plan.

The GMA requires the Transportation Element of the Comprehensive Plan include a multi-year financing plan based on the identified improvement needs in the transportation systems plan. The financing plan is to be the basis in developing the required six-year Transportation Improvement Program (TIP). If probable funding is less than the identified needs, then the transportation financing program must also include a discussion of how additional funding will be raised or how land use assumptions will be reassessed to assure that level of service standards will be met. Alternatively, the City can adjust its level of service standards.

A summary of costs for capital improvement projects and citywide maintenance and operation programs are presented. The capital project and maintenance and operations program costs are compared to estimated revenues from existing sources used by the City to fund transportation improvements. Other potential funding sources to help reduce the projected shortfall are described. Lastly, a summary of a reassessment strategy for the City to use for reviewing transportation funding in the context of the overall Comprehensive Plan is also included.

### **4.1. Project and Programs Cost Estimates**

Table 4-1 summarizes the costs of the recommended transportation improvement projects and programs. These cover City of Snohomish capital improvements, maintenance and operations. The costs are summarized for the life of the Plan. Improvements under the responsibility of WSDOT or Snohomish County are not included in the summary table. However, the City may choose to include a share of the costs of WSDOT improvements in its transportation impact fee or other funding options.

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**Table 4-1 Transportation Project and Program Costs (2015 – 2035)**

Improvement Type	(2015-2035) Total Costs <sup>1</sup>	Percent of Total Costs
<b>Transportation Capital Projects<sup>2</sup></b>		
Intersection Improvements	\$6,280,000	15%
Corridor Upgrades	\$9,840,000	23%
Active Transportation	\$24,660,000	57%
Pavement Preservation Component of Capital Projects (TBD)	\$2,310,000	5%
<b>Subtotal Capital Projects</b>	<b>\$43,090,000</b>	<b>100%</b>
<b>Transportation Maintenance &amp; Operations (M &amp; O) Programs</b>		
Maintenance & Operations	\$27,300,000	92%
Pavement Preservation and Overlay (TBD)	\$2,310,000	8%
<b>Subtotal M &amp; O Programs</b>	<b>\$29,610,000</b>	<b>100%</b>
<b>Total Costs</b>	<b>\$72,700,000</b>	

1. All costs in 2014 dollars, rounded to \$1,000  
2. Does not include other agency improvements

Planning-level cost estimates were developed for the capital improvements and presented in the Transportation Systems Plan chapter. The planning estimates were prepared based upon average unit costs for transportation projects within the region and recent contractor bid documents provided by the City. Planning-level costs were developed with the assumption that costs would include associated storm water development requirements, property acquisition, wetland mitigation, and utility extensions and/or upgrades, based upon historic costs for those items. The cost projections are not specific to individual projects or locations. More detailed cost estimates will need to be prepared as the projects are closer to design and construction. Future design studies will identify specific property impacts and options to reduce costs and impacts on properties.

The estimated capital cost of the Transportation Plan is approximately \$43 million (in 2014 dollars). Over half of the capital costs are associated with completion of the active transportation network in the City. These costs cover upgrading roadways to provide expanded options for pedestrians and bicyclists, along with construction of urban features such as crosswalks and sidewalks. Another quarter of the capital project costs are for upgrading corridors, and approximately 15 percent of capital costs are for intersection improvement projects.

Maintenance and operations costs were projected based on recent expenditures and assume three percent annual growth to account for expected population growth and annexations. Maintenance and operations costs cover general administration, roadway and storm drainage maintenance, street lighting, traffic signal and street signs, street sweeping, and other



miscellaneous safety improvement programs. To reduce the need for extensive capital reconstruction projects, the maintenance and operations program to preserve the existing street system is estimated to be nearly \$30 million, of the total \$72 million Transportation Plan cost.

#### **4.2. Funding Analysis with Existing Revenue Sources**

The City has historically used tax revenues, developer fees, and grants to construct and maintain their transportation facilities. In 2011, City of Snohomish voters approved a ballot measure creating a Transportation Benefit District (RCW 36.73.020) coextensive with City limits for term of 10 years. Funds from the \$.002 sales and use tax are used for resurfacing and preserving pavement on City streets, and financing improvements to intersections at Bickford Avenue & 15th Street and at 30th Street & State Route 9, as allowed in RCW.82.14.0445. The description of this and other available funding sources and projected revenues are listed in Table 4-2.

**Table 4-2 2015-2035 Transportation Revenues**

<b>Revenue Source</b>	<b>Total Revenues</b>	<b>Percent of Total Revenues<sup>2</sup></b>
<b>Transportation Capital Revenues</b>		
REET 1	\$186,000	1%
Transportation Impact Fee Fund	\$6,869,000	30%
Transportation Benefit District (Capital Only)	\$2,310,000	10%
Miscellaneous <sup>1</sup>	\$4,872,000	22%
Grant Funds	\$8,400,000	37%
<b>Subtotal Capital Revenues</b>	<b>\$22,637,000</b>	<b>100%</b>
<b>Transportation M &amp; O Revenues</b>		
Motor Vehicle Fuel Tax	\$4,865,000	18%
Operating Fund	\$19,649,000	73%
Miscellaneous <sup>2</sup>	\$51,000	<1%
Transportation Benefit District (Pavement and Preservation Only)	\$2,310,000	9%
<b>Subtotal M &amp; O Revenues</b>	<b>\$26,876,000</b>	<b>100%</b>
<b>Total Revenues</b>	<b>\$49,513,000</b>	

<sup>1</sup> – Miscellaneous capital revenues include Utility and Street Fund Transfers.

<sup>2</sup> – Miscellaneous M&O revenues include barricade rentals, interest, and other sources.

Revenue projections were estimated based upon the City's 2014 budget, historical revenues, and the adopted impact fee program. Based on recent historical data, it is estimated that revenues would be more than \$49 million during the 20-year period, of which slightly more than

## **ACTION ITEM 7a**

half would be dedicated for capital improvements and the other half for maintenance and operations programs.

Of the approximately \$23 million in revenues dedicated for capital improvements, grant funding and other sources (including utility and street fund transfers) are expected to generate majority of the total revenues. Taken together, these two sources comprise nearly 80 percent of total capital revenues. The Transportation Benefit District is expected to generate approximately \$2,310,000 from 2015 to 2021 when the program ends.

Almost \$27 million in revenues dedicated for maintenance and operations programs are anticipated over 20 years. Majority of the funding, approximately three-quarters, is expected to come from the operating fund. The motor vehicle fuel tax is anticipated to generate nearly 20 percent of all maintenance and operations revenues.

### *Tax Revenues*

The existing tax revenues used by the City will need to be maintained as one source of revenue to fund transportation projects and programs. These revenue sources include motor vehicle fuel tax, property taxes, and other tax revenues that support the City's General Fund. The majority of the General Fund allocation is anticipated to be used for maintenance, and to provide the matching funds for grants or to complete a portion of the improvement projects not covered by other funding sources.

### *Developer Transportation Funding*

The City uses several programs to help offset the increased traffic impacts of new development or redevelopment. These include construction of frontage improvements such as curb, gutter, and sidewalks, with or without dedication of right-of-way, and new roadways needed to serve the development. The City is also required to review the potential transportation impacts of development and define appropriate mitigation under the State Environmental Policy Act (SEPA) and GMA concurrency requirements. In addition, the City previously adopted a Transportation Impact Fee program as allowed for by the GMA to help fund growth-related transportation system improvements.

### *Transportation Impact Fees*

The GMA allows agencies to develop and implement a Transportation Impact Fee (TIF) program to help fund part of the costs of transportation facilities needed to accommodate growth. State law (RCW 82.02) requires that TIF programs are:

- Related to improvements to serve new growth and not existing deficiencies;
- Assessed proportional to the impact of new developments;
- Allocated for improvements that reasonably benefit new development, and;
- Spent on facilities identified in the adopted Capital Facilities Plan.

TIFs can only be used to help fund improvements that are needed to serve new growth. The cost of projects needed to resolve existing deficiencies cannot be included.

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Draft Transportation Master Plan

The TIF program must allow developers to receive credits if they are required to construct all or a portion of system improvements to the extent that the required improvements were included in the TIF calculation. The City is in the process of updating its existing program based on the updated Transportation Plan.

### *Other Developer Mitigation and Requirements*

The City has adopted specific development-related requirements which will help fund the identified improvements. These include requirements for frontage improvements, mitigation of transportation impacts under SEPA, and concurrency requirements. The City requires developments to fund and construct certain roadway improvements as part of their projects. These typically include reconstructing abutting streets to meet the City's current design standards. These improvements can include widening of pavement, drainage improvements, and construction of curb, gutter, and sidewalks.

Several of the projects identified in the Transportation Plan could be partially funded and constructed as part of new developments. As noted above, to the extent that costs of a transportation improvement are included in the TIF then credits must be provided. If improvements to an abutting local street are not included in the TIF, then credits against the TIF would not be required or allowed.

The City also evaluates impacts of development projects under SEPA. The SEPA review may identify adverse transportation impacts that require mitigation beyond payment of the TIF. These could include impacts related to safety, traffic operations, non-motorized travel, or other transportation issues. The needed improvements may or may not be identified as specific projects in the Plan. If the required improvements are included in the TIF program, then the City must provide credits to the extent that the costs are included in the project list and impact fee calculations.

The City also requires an evaluation of transportation concurrency for development projects. The concurrency evaluation is intended to identify project impacts that will cause City facilities to operate below the City's level of service standard. To resolve such a deficiency, the applicant can propose to fund and/or construct improvements to provide an adequate level of service. Alternatively, the applicant can wait for the City, or another agency or developer to fund improvements to resolve the deficiency. According to the GMA, the City must deny any proposal that will cause the level of service for transportation facilities to decline below the adopted standard unless a financial commitment is in place to complete measures to achieve the LOS standard within six years. (RCW 36.70A.070(6)(b)).

### *Grants*

Over the past several years the City has had significant success in securing grants for transportation improvements. Grant funding is typically tied to specific improvement projects and distributed on a competitive basis, often with a local funding match. Due to reduced federal and state allocations, the pool of available grant funds will likely decrease in the future. In addition, more local agencies are pursuing grants resulting in a more competitive environment.



**4.3. Forecasted Revenue Shortfall**

Table 4-3 summarizes the City's proposed transportation financing strategy for the approximately \$23 million City portion of the capital improvement costs as well as the \$27 million in maintenance, operations, and program expenditures. The Plan results in a shortfall of more than \$28 million dollars. This assumes that the level of grants and developer commitments will be generated as estimated in the Transportation Plan. The deficit could be greater if the level of development or the level of grant funding is less than forecast. The former would be offset by a reduced need for transportation improvements to accommodate growth. If the City is more successful in obtaining grants or other outside funding for projects, then potential deficit could be reduced, as discussed in the next section.

**Table 4-3 Forecasted Revenues and Costs**

<b>Revenue Source<sup>1</sup></b>	<b>Total (2015–2035)</b>
Transportation Capital Revenues	\$22,637,000
Total Capital Project Costs	\$43,090,000
<b>Capital Estimated Shortfall</b>	<b>(\$20,453,000)</b>
Transportation M&O Revenues	\$26,876,000
Transportation M&O Costs	\$34,142,000
<b>M &amp; O Estimated Shortfall</b>	<b>(\$7,266,000)</b>
<b>Total Estimated Shortfall</b>	<b>(\$27,719,000)</b>

1. All revenues in 2014 dollars  
2. Does not include other agency improvements

***Capital Revenue Shortfall***

The approximately \$28 million shortfall in funding would primarily affect the ability of the City to fund all of the identified capital improvement projects during the planning period. As evidenced by the formation of the Transportation Benefit District, the City is committed to funding the existing maintenance and operations programs needed to preserve the integrity, safety, and efficiency of its existing transportation system. The maintenance and operations cost will expand with transportation system improvements and the future annexation of the City's unincorporated UGA.

***Maintenance and Operations Revenue Shortfall***

A shortfall of approximately \$7.2 million is forecasted for completely funding the 20-year maintenance and operations program needs. General citywide maintenance and operations programs will not balance with forecasted revenues over the life of the plan, however the City will review and adjust the maintenance and operation programs on an annual basis to balance with anticipated dedicated revenues.

**4.4. Potential Options to Balance the Plan**

As noted above, projected existing revenue sources would allow the City to fund majority of the identified transportation improvement projects and program costs. The City could address this shortfall through delaying lower priority projects or increasing revenue allocations from discretionary sources, primarily the General Fund.

*Options for Reducing the Funding Shortfall for Capital Improvement Projects*

The City can increase funding for capital street projects using a range of revenue options. These include partnering with other agencies or additional grants as available. Alternatively, the City could delay implementation of projects, especially lower priority improvements. Possible applications of these funding strategies are discussed below.

*Delaying Improvement Projects*

Table 3-1 includes a relative priority of the improvement projects. The priority reflects the relative need for the project to meet the City of Snohomish's transportation system needs, including safety, circulation, operations, and pedestrian and bicycle system connectivity projects.

Approximately \$10.7 million of the capital improvement projects cost are listed as being of lower priority. Approximately \$17.5 million are medium priority projects, with over \$12.5 million in high priority capital projects. The City will not likely be able to, or may choose not to, fund the low and possibly some of the medium priority projects within the 20-year horizon without additional funding sources. Removing the costs of the low to medium priority projects would reduce the estimated funding shortfall.

The projects are, however, still included in the Transportation Plan to illustrate the City's desired transportation system. Several of the capital improvements will become necessary when and if development occurs. These projects are somewhat unique in that the cause and effect of capital projects is directly linked to the individual development projects themselves, as compared to capital projects that become necessary due to aggregate growth within the City as a whole. Funding for these projects can be tied to impact fees and/or other City revenues generated through increased sales taxes. As developments occur in these areas the City may require project-specific facility improvements including SEPA mitigation measures, as appropriate. The City also may identify other programs or opportunities to partially or fully fund some of these improvements.

*Additional Grants and Other Agency Funding*

As discussed above, the transportation financing analysis estimates that the City may receive more than \$8 million in grant funding over the life of the Plan. If the City is able to pursue and receive grants at a higher rate, shortfalls may be less than projected.

*Tax Increment Financing*

Washington State allows cities to create "increment areas" that allows for the financing of public improvements, including transportation projects within the area by using increased future



## **ACTION ITEM 7a**

revenues from local property taxes generated within the area. The specific rules and requirements are noted in the Community Revitalization Financing (CRF) Act.

The Local Infrastructure Financing Tool (LIFT) program is a potential tool for the City to pursue. Under this concept the annual increases in local sales/use taxes and property taxes can be used to fund various public improvements.

The City may choose to further consider these types of funding programs in the future as part of its annual budget and six-year Transportation Improvement Program (TIP) processes.

### *Voter Approved Bond/Tax Package*

Bonds do not result in additional revenue unless coupled with a revenue generating mechanism, such as a voter approved tax. The debt service on the bonds results in increased costs which can be paid with the additional tax revenues. Although the City does not anticipate issuing bonds in the near future, it remains an option for generating additional transportation revenues to fund some of the higher cost improvement projects.

### *Local Improvement Districts*

A local improvement district (LID) is a special assessment area established by a jurisdiction to help fund specific improvements that would benefit properties within the district. LIDs could be formed to construct sidewalks, upgrade streets, improve drainage or other similar types of projects. A LID may be in residential, commercial, or industrial areas or combinations depending on the needs and benefits. LIDs can be proposed either by the City or by property owners. LIDs must be formed by a specific process which establishes the improvements, their costs, and assessments. The assessments are added to the property tax which helps to spread the costs over time.

## **4.5. Reassessment Strategy**

Although the financing summary identifies the potential for a total revenue shortfall of approximately \$16 million (in 2014 dollars) over the life of the Plan, the City is committed to reassessing their transportation needs and funding sources each year as part of its six-year Transportation Improvement Program (TIP). This allows the City to match the financing program with the short term improvement projects and funding. In order to implement the Transportation Plan, the City will consider the following principals in its transportation funding program:

- Balance improvement costs with available revenues as part of the annual six-year Transportation Improvement Program (TIP);
- Review project design standards to determine whether costs could be reduced through reasonable changes in scope or deviations from design standards;
- Fund improvements or require developer improvements as they become necessary to maintain LOS standards;
- Explore ways to obtain more developer contributions to fund improvements;
- Coordinate and partner with WSDOT, Snohomish County, and others to implement improvements to the SR 9;
- Vigorously pursue grant funds from state and federal sources;

## **ACTION ITEM 7a**

May 2015

City of Snohomish  
Draft Transportation Master Plan

- Work with Snohomish County to develop multiagency grant applications for projects that serve growth in the City and its UGA;
- Review and update the TIF program regularly to account for the updated capital improvement project list, revised project cost estimates, and annexations;
- The City could consider changes in its level of service standards and/or limit the growth potential in the City and its UGA as part of future updates to its Comprehensive Plan;

Some lower priority improvements may be deferred or removed from the Transportation Plan. The City will use the annual update of the six-year Transportation Improvement Program (TIP) to re-evaluate priorities and timing of projects and need for alternative funding programs. Throughout the planning period, projects will be completed and priorities revised. This will be accomplished by annually reviewing traffic growth and the location and intensity of land use growth in the City and its UGA. The City will then be able to direct funding to areas that are most impacted by growth or to roadways that may be falling below the City's level of service standards. The development of the TIP will be an ongoing process over the life of the Plan and will be reviewed and amended annually.

## **ACTION ITEM 7b**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Owen Dennison, Planning Director  
**Subject:** **Adoption of Traffic Impact Fee Amendments – Ordinance 2290**

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This agenda item provides the opportunity for the City Council's deliberation on draft Ordinance 2290 to amend several provisions of the transportation impact fee regulations in Chapter 14.295 SMC. Ordinance 2290 was discussed by the City Council and a hearing was held on June 2, 2015. As the proposed amendments are linked to adoption of the Transportation Master Plan and amendments to the Comprehensive Plan, staff's request for action on Ordinance 2290 has pended the completion of work on the draft Comprehensive Plan update.

As shown in draft Ordinance 2290, provided as Attachment A, amendments to three sections of Chapter 14.295 SMC are proposed. Proposed amendments to SMC 14.295.050H would modify the current unqualified requirement for the construction of frontage improvements with any development. As amended, the City Engineer would be granted authority to waive the requirement on certain rare occasions where such improvements would be constructed for only a fraction of a block or street and may result in unintended adverse impacts or where municipal improvements are planned for the subject right-of-way. This amendment would implement draft Capital Facilities policy CF 2.4.

**CF 2.4:** Sidewalks, curbs and gutters, and street surface shall be required on that half of the street adjacent to the development as a condition of construction, including new single-family residential development, where these improvements do not now exist, or are deteriorated, unless determined by the City Engineer to be untimely. (draft Capital Facilities Element policy – emphasis added)

Staff considered the feasibility of requiring an applicant to provide a financial guarantee or other commitment to participate in the future, in lieu of constructing the frontage improvements at same time as site improvements. However, it was determined that challenges related to tracking a deposit over an extended time period or the potential sale of the property to another owner would create issues in excess of the potential benefit of such guarantees. It is expected the proposed provision would apply to small infill development where the public improvement cost would be minimal relative to a full street improvement project.

Proposed amendments to SMC 14.295.090 would establish an initial traffic impact fee rate of \$1,603 per new p.m. peak hour trip. This would replace the current rate of \$1,422 per new p.m. peak hour trip. Consistent with other fees, the current applicable fee would be updated in the adopted Fee Schedule. As suggested by the City Council during the June 2015 discussion, the proposed language includes a provision by which the City Engineer can propose, and the City Council can approve in whole or in part, a once-per-year increase consistent with rate of inflation. The inflation index would be that published in the Engineering News-Record, a reference recommended by the City Engineer. In any year, the City Council could choose to approve any increase up to the total inflationary increase since the initial rate was adopted. In

## **ACTION ITEM 7b**

other words, in economically lean years, the City Council could opt to approve an increase under the rate of inflation (or no increase) but the difference could be “banked” and applied another year.

Finally, proposed amendments to SMC 14.295.100F would modify the level of service standard provided in the chapter. “Level of service” (LOS) is a measure of the capacity of a facility, in this case an intersection, relative to the demands on it. Transportation facilities are typically described as a range from LOS “A” to LOS “F”. LOS “A” represents a free-flowing condition. LOS “F” describes a circumstance where the volume of traffic has exceeded the capacity of the transportation facility to convey it, resulting in long waits at intersections. The LOS *standard* is a policy determination of the maximum demand a facility should absorb without triggering requirements for capacity improvements. The chapter currently applies the LOS only to *signalized* intersections on minor and collector arterials. This represents only a small fraction of all intersections in the City. Further, the LOS in the existing chapter is identified as “D”, which is inconsistent with the current and proposed intersection LOS “E” in the Capital Facilities Element policies. Staff’s proposal would also expand the scope of the section to address all intersections in the City consistent with the LOS “E” standard in the Comprehensive Plan.

**STRATEGIC PLAN REFERENCE:** The proposal furthers Strategy 4.A., *Update the City’s Transportation Plan to continue to improve multi-modal mobility.*

**RECOMMENDATION:** That the City Council **ADOPT Ordinance 2290.**

### **ATTACHMENTS:**

- A. Draft Ordinance 2290
- B. Meeting minutes

ATTACHMENT A

**CITY OF SNOHOMISH  
Snohomish, Washington**

**DRAFT ORDINANCE 2290**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,  
AMENDING THE CITY’S DEVELOPMENT CODE, AS SET FORTH IN  
TITLE 14 OF THE SNOHOMISH MUNICIPAL CODE, BY AMENDING  
CHAPTER 14.295 RELATING TO TRAFFIC IMPACT FEES;  
PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE**

**WHEREAS**, pursuant to Title 14 of the Snohomish Municipal Code (SMC), the City has adopted a Land Use Development Code (“Development Code”) to implement the Comprehensive Plan and to promote orderly growth and development in the City; and

**WHEREAS**, RCW 82.02.050 and 82.02.060 authorize cities to adopt by ordinance a schedule of impact fees to ensure that adequate facilities are available to serve new growth and development; and

**WHEREAS**, RCW 82.02.050(2) authorizes cities that are required to plan under RCW 36.70A.040, which includes the City of Snohomish, to impose impact fees on development activity as part of the financing of public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees; and

**WHEREAS**, RCW 82.02.050(4) authorizes impact fees to be collected and spent only for the public facilities defined in RCW 82.02.090 addressed in a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 that identifies: (a) deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time; (b) additional demands placed on existing public facilities by new development; and (c) additional public facility improvements required to serve new development; and

**WHEREAS**, the City has adopted amendments to its Comprehensive Plan pursuant to the provisions of RCW 36.70A.070, to address growth and development in the City through 2035 in accordance with the preliminary growth targets adopted in the Snohomish County Countywide Planning Policies; and

**WHEREAS**, adopted amendments to the City’s Comprehensive Plan include an updated Capital Facilities Element and an updated Transportation Element; and

**WHEREAS**, the updated Transportation Element incorporates by reference a Transportation Master Plan (2015) that was prepared by a qualified consultant and separately adopted by the City Council pursuant to Ordinance 2307; and

**WHEREAS**, the adopted Comprehensive Plan Capital Facilities Element, together with the Transportation Element and Transportation Master Plan, identify additional public facility improvements required to serve new development with transportation infrastructure; and



## **ACTION ITEM 7b**

**WHEREAS**, the estimated cost of the identified public facility improvements required to serve new development with transportation infrastructure was calculated in 2014 dollars; and

**WHEREAS**, the cost of construction of transportation projects does not remain constant over time; and

**WHEREAS**, the adopted Transportation Master Program recommends that transportation impact fees as initially established by ordinance should be automatically adjusted annually on the basis of a recognized published index of changes in the cost of transportation projects over time; and

**WHEREAS**, the Engineering News Record publishes a recognized construction cost index for labor and materials which is updated monthly, and is a suitable published index for automatic annual adjustment of transportation impact fees; and

**WHEREAS**, the City adopted Chapter 14.295 SMC pursuant to Ordinance 2067, as amended by Ordinance 2085, that establishes the basis and process for levying traffic impact fees; and

**WHEREAS**, Chapter 14.295 SMC states that the traffic impact fee shall be as calculated in the Transportation Element and in the Transportation Facilities Plan, but does not specify a rate at which the traffic impact fee shall be charged ; and

**WHEREAS**, impact fee rates for schools and parks are specified in a Master Fee Schedule adopted by City Council Resolution; and

**WHEREAS**, RCW 36.70A.070 requires the Comprehensive Plan to identify a policy level of service standard for locally owned arterials and transit routes to serve as a gauge to judge the performance of transportation systems; and

**WHEREAS**, the level of service standard for transportation facilities is and has been, since 1998, adopted in the Transportation Element and/or Capital Facilities Element of the Comprehensive Plan as level of service “E”; and

**WHEREAS**, Chapter 14.295 SMC states that standards for levels of service are as adopted in the Comprehensive Plan; and

**WHEREAS**, Chapter 14.295 SMC identifies a level of service standard of “D” for signalized intersections and provides a level of service standard for no other type of intersection; and

**WHEREAS**, the Washington State Growth Management Act (RCW 36.70A) requires that development regulations be consistent with and implement the Comprehensive Plan; and

**WHEREAS**, the City’s concurrency and traffic impact fee programs have been implemented consistent with the level of service standard adopted by policy in the Comprehensive Plan as a level of service “E”; and

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**WHEREAS**, the inconsistency between the incorrect level of service “D” reference in Chapter 14.295 SMC and the adopted policy level of service “E” by which impacts to the street system have been and are evaluated is hereby corrected as a procedural adjustment; and

**WHEREAS**, pursuant to SMC 14.15.070 and RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City’s intent to adopt the proposed amendments to the City’s Development Code; and

**WHEREAS**, acting as the City of Snohomish SEPA Responsible Official, the City Planning Director reviewed the proposed amendments and determined the proposal to constitute procedural amendments resulting in no substantive changes respecting the use or modification of the environment and therefore the proposal is exempt from SEPA review pursuant to Section 197-11-800(19) of the Washington Administrative Code; and

**WHEREAS**, on June 2, 2015, a public hearing on the proposed amendments was held by the Snohomish City Council, and all persons wishing to be heard were heard;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Amendment of Chapter 14.295 SMC.** SMC Sections 14.295.050, 14.295.090, and 14.295.100 are hereby amended as set forth in the attached **Exhibit A** and are incorporated herein by this reference.

**Section 2. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 3. Effective Date.** This ordinance shall be effective five days after adoption and publication by summary.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 15<sup>th</sup> day of March, 2016.

CITY OF SNOHOMISH

By \_\_\_\_\_  
Karen Guzak, Mayor

ATTEST:

APPROVED AS TO FORM:

By \_\_\_\_\_  
Pat Adams, City Clerk

By \_\_\_\_\_  
Grant K. Weed, City Attorney

## **ACTION ITEM 7b**

### EXHIBIT A

#### **14.295.050 Street System Policy-General Provisions.**

A. Applicability to development.

Any application for approval of a permit for a development in the City of Snohomish is subject to the provisions of this Chapter.

B. Director's recommendation: approval.

1. In approving or permitting a development, the approval authority shall consider the Director's recommendations and act in conformity with this Chapter.
2. The Director shall only recommend approval of a development, if, in the Director's opinion, adequate provisions for City streets, access, and mitigation of the transportation impacts of the development are made as provided in the City's development regulations, SEPA, and this Chapter.
3. The Director shall only recommend approval of a development if the development is deemed to be concurrent in accordance with this Chapter.

C. Excessive expenditure of public funds.

If the location, nature, and/or timing of a proposed development necessitates the expenditure of public funds in excess of those currently available for the necessary street improvement or is inconsistent with priorities established to serve the general public benefit, and if provision has not otherwise been made to meet the mitigation requirements as provided in this Chapter, the City may refuse to approve or grant a permit for development. As an alternative, the City may allow the developer to alter the proposal so that the need for street improvement is lessened or may provide the developer with the option of bearing all or more than the development's proportionate share of the required street improvement costs.

D. Development mitigation obligations.

Any application for approval of a permit for a development shall be reviewed to determine any requirements or mitigation obligations that may be applicable for the following:

1. Impact on street system capacity;
2. Impact on specific level-of-service deficiencies;
3. Impact on specific inadequate street condition locations;
4. Frontage improvements requirements;
5. Access and transportation system circulation requirements;
6. Dedication or deeding of right-of-way requirements;
7. Transportation demand management measures.

E. Street system capacity requirements.

The direct traffic impacts of any development on the capacity of all intersections, arterials

## **ACTION ITEM 7b**

and non-arterials in the street system identified as needing future capacity improvements in the currently adopted Transportation Element will be mitigated either by constructing street improvements which offset the traffic impact of the development or by paying the development's share of the cost of the future capacity improvements.

### **F. Level-of service standards.**

1. As required by RCW 36.70A.070(6)(a), standards for levels of service on City arterials have been adopted by the City in the Comprehensive Plan. The Department will plan, program and construct transportation system capacity improvements for the purpose of maintaining these adopted level-of-service standards in order to facilitate new development that is consistent with the Comprehensive Plan.
2. In accordance with RCW 36.70A.070(6)(b), no development will be approved which would cause the level-of-service on any arterial unit or intersection to fall below the adopted level-of-service standards unless improvements are programmed and funding identified which would remedy the deficiency within six years.
3. When the City Council determines that excessive expenditure of public funds is not warranted for the purpose of maintaining adopted level-of-service standards on an intersection or arterial unit, the City Council may designate by motion such intersection or arterial unit as being at ultimate capacity. Improvements needed to address operational and safety issues may be identified in conjunction with such ultimate capacity designation.

### **G. Inadequate pre-existing street condition.**

1. Mitigation of impacts on inadequate pre-existing street conditions is required in order to improve inadequate streets in accordance with adopted standards, prior to dealing with the impacts of traffic from new development. If such inadequate conditions are found to be existing in the street system at the time of development application review and the development will put three or more p.m. peak-hour trips through the identified locations, the development may be approved only if provisions are made in accordance with this Chapter for improving the inadequate street conditions.
2. The Public Works Director shall make determinations of street inadequacy in accordance with Department policies, standards, and procedures, as adopted pursuant to this Chapter.

### **H. Frontage improvements.**

All developments will be required to make frontage improvements in accordance with City standards, except where determined untimely by the City Engineer due to the absence of street frontage improvements in the vicinity or to scheduled public improvement projects.

### **I. Access and transportation circulation requirements.**

All developments shall be required to provide for access and transportation circulation in accordance with the Comprehensive Plan and the development regulations applicable to the

## **ACTION ITEM 7b**

particular development, to design and construct such access in accordance with the adopted engineering design and development standards, and to improve existing streets that provide access to the development in order to comply with adopted design standards.

### **J. Right-of-way requirements.**

As provided for by RCW 82.02.020, all developments, as a condition of approval, will be required to deed or dedicate property, as appropriate pursuant to City standards, when to do so is found by the Director or a City approval authority to be reasonably necessary as a direct result of the proposed development for improvement, use, or maintenance of the street system serving the proposed development.

### **K. Development permit application completeness.**

For purposes of this Chapter, permit applications for development shall be determined to be complete in accordance with the complete application provisions as defined in the applicable development regulations in accordance with Chapter 36.70B RCW. A development permit application shall not be considered complete until all traffic studies or data required in accordance with this Chapter and/or as specified in a pre-application meeting conducted pursuant to Title 14 SMC are received. Review periods and time limits shall be established in Title 14 SMC in accordance with Chapter 36.70B RCW.

### **L. Director authorization for administrative policies and technical standards and procedures.**

The Director is hereby authorized to produce and maintain administrative policies and technical standards and procedures in order to administer this Chapter. The policies, standards, and procedures shall cover the transportation-related aspects of processing land use applications and shall set forth any necessary procedural requirements for developers to follow in order for their applications to be processed by staff in an efficient manner. The Director shall produce administrative policies and technical standards and procedures on at least the following topics:

1. Traffic studies: scoping, elements, processing.
2. Level-of-service determination: methodology, data collection.
3. Transit compatibility: transit supportive criteria.
4. Inadequate street conditions: criteria for identification.
5. Frontage improvements: standards, variables.
6. Mitigation measures: extent, timing, agreements.

## **14.295.090 Traffic Impact Fee.**

~~((A. The proportionate share fee amount shall be calculated in the Comprehensive Plan's Transportation Element and in the Transportation Facilities Plan.))~~



## **ACTION ITEM 7b**

- A. The impact fee rate per net new PM peak hour trip, as calculated according to the provisions of this chapter, shall be as adopted in the most recent fee schedule resolution. The initial traffic impact fee rate shall be \$1,603, which may be adjusted annually as described in Subsection B of this Section.
- B. Commencing on the first anniversary of the effective date of the impact fee rate established in Subsection A of this Section, and at subsequent intervals of at least one year, the City Engineer may propose adjustment of the impact fee rate set out in the most recent fee schedule resolution by the same percentage change as in the most recent annual change of the Construction Cost Index published in the Engineering News-Record. The City Council and may adopt such increase in the impact fee rate or a reduced amount as an amendment to the fee resolution. In addition to published notice as required for the City Council resolution, the City Engineer shall cause notice of the adjusted impact fee to be posted at City Hall and the Public Works Engineering office. In all cases, the maximum amount of the impact fee shall be the initial traffic impact fee rate plus an amount equal to the initial impact fee rate multiplied times the change in Construction Cost Index since the effective date of the initial traffic impact fee rate.

### **14.295.100 Level-of-Service Requirements and Concurrency Determinations.**

- A. The Department shall make a concurrency determination for each development application to ensure that the development will not impact an arterial unit where the level-of-service is below the adopted level-of-service standard or will not cause the level-of-service on an arterial unit to fall below the adopted level-of-service standard, unless improvements are programmed and funding identified which would remedy the deficiency within six years. The approval authority shall not approve any development that is not deemed concurrent under this section.
1. The Department shall make a concurrency determination upon receipt of a development's pre-application submittal. The determination may change based upon revisions in the application. Any change in the development after approval will be resubmitted to the Director, and the development will be reevaluated for concurrency purposes.
  2. The concurrency determination shall expire if the development for which the concurrency is reserved is not applied for within one hundred twenty (120) days of the concurrency determination. This determination is a prerequisite for a complete development application. The expiration date of the concurrency determination for a filed development application shall be six years after the date of the determination, except where the application is later withdrawn or approval is allowed to lapse.
  3. Building permits for a development must be issued prior to expiration of the concurrency determination for the development, except when the development is a residential subdivision or short subdivision in which case the subdivision or short subdivision must be recorded prior to expiration of the concurrency determination for the development, and except where no building permit will be associated with a conditional use permit, in which case the conditional use permit must be issued prior to expiration of the

## **ACTION ITEM 7b**

concurrency determination. No additional concurrency determination shall apply to residential dwellings within a subdivision or short subdivisions recorded in compliance with this section.

4. If the concurrency determination expires prior to building permit issuance, except when the development is a residential subdivision or short subdivision, then prior to the recording of the subdivision or short subdivision, and except where no building permit will be associated with a conditional use permit, then prior to issuance of the conditional use permit, the Director shall at the request of the developer consider evidence that conditions have not significantly changed and make a new concurrency determination in accordance with this section.
  5. Building permit applications for development within a recorded development plan, non-residential subdivision or short subdivision, for which a concurrency determination has been made in accordance with this section shall be deemed concurrent, provided that the concurrency determination has not expired, the building permit will not cause the approved traffic generation of the prior approval to be exceeded, there is no change in points of access, and mitigation required pursuant to the recorded development plan, non-residential subdivision or short subdivision approval is performed as a condition of building permit issuance.
- B. In determining whether or not to deem a proposed development as concurrent, the Department shall analyze likely street system impacts on arterial units based on the size and location of the development.
1. A development shall be deemed concurrent for the period prior to the expiration date of the concurrency determination for the development.
  2. A development's forecasted trip generation at full occupancy shall be the basis for determining the impacts of the development on the street system. The City will accept valid data from a traffic study prepared under this Chapter.
- C. A concurrency determination made for a proposed development under this section will evaluate the development's impacts on any intersections or arterial units in arrears. If a development which generates seven or more p.m. peak-hour trips, or a nonresidential development which generates five or more p.m. peak-hour trips, is proposed to affect an intersection or arterial unit in arrears, then the development may only be deemed concurrent based on a trip distribution analysis to determine the impacts of the development. Impacts shall be determined based on each of the following:
1. If the trip distribution analysis indicates that the development will not place three or more p.m. peak-hour trips on any intersection or arterial units in arrears, then the development shall be deemed concurrent.
  2. If the trip distribution analysis indicates that the development will place three or more p.m. peak-hour trips on any intersection or arterial unit in arrears, then the development

## **ACTION ITEM 7b**

shall not be deemed concurrent except where the development is deemed concurrent in accordance with the options under SMC 14.295.100E.

- D. Any residential development that generates less than seven p.m. peak- hour trips or any nonresidential development that generates less than five p.m. peak-hour trips shall be considered to have only minor impact on City arterials for purposes of a concurrency determination on impacts to level-of- service on intersections and arterial units and shall accordingly be deemed concurrent.
- E. Any development not deemed concurrent shall have options available to enable the development to be deemed concurrent as follows:
  - 1. A development which meets the Department's criteria for transit compatibility, in accordance with the Director's policy and procedure for transit compatibility, shall be deemed concurrent if the impacted intersection or arterial unit in arrears meets the criteria for transit supportive design in accordance with the Director's policy and procedure for transit compatibility, and if the level-of-service on the impacted intersection or arterial unit in arrears meets the City's adopted LOS standards, and provided that the development can be deemed concurrent in accordance with all other provisions of this section.
  - 2. A development may modify its proposal to lessen its impacts on the street system in such a way as to allow the City to deem the development concurrent under this section.
  - 3. The City may deem such development concurrent based upon a written proposal signed by the proponent of the development and attached to the Director's recommendation under SMC 14.295.050B, and referenced in the concurrency determination, as a condition of approval.
    - a. Such proposal may include conditions which would defer construction of all or identified subsequent phases of a development until such time as the City has made or programmed capacity improvements which would remedy any intersection or arterial units in arrears.
    - b. Such proposals may include conditions which would defer construction of all or identified subsequent phases of a development until such time as the developer constructs capacity improvements which would remedy any intersection or arterial units in arrears.
      - i. If a developer chooses to mitigate the development's impact by constructing offsite street improvements, the developer must investigate the impact, identify improvements, and offer a construction plan to the Director for construction of the offsite improvements. Construction of improvements shall be in accordance with the City's engineering design and development standards.
      - ii. In cases where two or more developers have agreed to fully fund a certain

## **ACTION ITEM 7b**

improvement, the proportionate sharing of the cost shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

- iii. Any developer who chooses to mitigate a development's impact by constructing offsite improvements may propose to the City that a joint public/private partnership be established to jointly fund and/or construct the proposed improvements. The Director will determine whether or not such a partnership is to be established.
- iv. Construction of capacity improvements under this section must be complete or under contract prior to the issuance of any building permits and must be complete prior to approval for occupancy or final inspection; provided that where no building permit will be associated with a change in occupancy, then construction of improvements is required as a precondition to approval.

### **F. Adopted Level-of-Service.**

- 1. The level of service for (~~((minor and collector arterials at signalized))~~)intersections shall be LOS (~~((D))~~)E or better(~~(, using the operational method as a standard of review))~~).
- 2. The Transportation (~~((Facilities Plan))~~)Element may designate intersections that are exempt from the level-of-service standard set forth in this subsection.

ATTACHMENT B

**Snohomish City Council Meeting Minutes Excerpt  
June 2, 2015**

**6. PUBLIC HEARINGS**

**b. AMEND Traffic Impact Fees – Ordinance 2290**

This item referred to amendments to SMC Title 14.295 that dovetailed with the master plan update. With discussion of a new impact fee level, it seemed appropriate to revisit the impact fee regulations because that was where it was applied. SMC 14.295 had the process, exemptions, and applicability; it had everything but the number. Staff proposed three amendments to the chapter.

The first amendment was to actually establish a rate within the chapter. Both the school impact fees in SMC 14.290 and park impact fees in SMC 14.300 were identified so users of the code had a reference. For traffic impact fees the code read that “The proportionate share fee amount shall be calculated in the Comprehensive Plan’s Transportation Element and in the Transportation Facilities Plan.” One had to go back to the comp plan which currently only provided a fee range, not a specific amount. For consistency within the code, the idea was to actually put a figure in SMC 14.295. \$1603 was just a placeholder for now; it would be whatever amount the Council ultimately determined by policy to be appropriate. Staff believed the fee should be shown as an amount in the chapter.

The second amendment referred to level of service. The current chapter talked about LOS D which was not consistent with either the comprehensive plan Transportation Element or the Capital Facilities Element, both of which specify that the City’s LOS is E. The code reference also stated that LOS applied only to signalized intersections on minor and collector arterials which was a subset of all the intersections in town. As it has been applied and is referred to in the current adopted Transportation Element in the comp plan, this intersection LOS was applicable citywide – not just to signalized intersections. Staff’s proposal would change the LOS reference to an E, unless the Council wished a different LOS, and to state that it’s applicable to all intersections.

The third amendment was to correct a current inconsistency in the code. SMC 14.295 said that all developments will be required to make frontage improvements. There was a parallel reference in the dimensional standards in SMC 14.210 saying that the City may require public improvements including curb, gutter, sidewalk, and stormwater; things that would typically be considered frontage improvements. The inconsistency was whether the City ‘may’ or ‘shall’ require improvements.

When the Capital Facilities plan goals and policies were considered by the Council in March, a proposed policy said there may be circumstances where frontage improvements would not be required for development. This would provide some flexibility for the City Engineer to determine when it would be inappropriate. An example was a new single-family home on a vacant lot in a street with no other frontage improvements. If the City requires the developer to put them in, the result is an odd discontinuous sidewalk and curb. Additionally if only a portion of the frontage improvements are provided with development of one isolated lot, there are potential stormwater collection and other practical considerations. This would not necessarily come up often but staff felt it important for the code to be consistent and allow that latitude for those circumstances warranting it. 1022 Clark Avenue was a recent example. Clark Avenue was one of the off-shoot roads that was annexed in 2006-7, just north of a jog in Ludwig Road near Second Street. It



## **ACTION ITEM 7b**

was a developed block with 22-foot wide pavement and no shoulder. There was one lot with an existing home that was approved to be demolished and a new one constructed. With the very narrow driving lanes and no shoulder, it did no good to extend pavement another 10-15' and then put in curb, gutter and sidewalk because it wouldn't match the adjacent properties. The likelihood of having development go into the adjacent lots to continue the frontage improvement was very unlikely. That was an example of the City Engineer relying on the provision to allow some latitude and waiving the requirement because it was impractical. The proposed amendments would make the provisions in SMC 14.295 consistent with this latitude.

These changes were not proposed to come back to the Council for adoption until after the state's review of the master plan and the comprehensive plan, likely in late summer or early fall. The state's timeframe was unknown as the state would be deluged with many comp plans and associated documents to review. If the Council wished to hold a second public hearing at that point, that was an option.

Councilmember Kaftanski referred back to the workshop discussion and the potential of reviewing the traffic impact fee periodically. He confirmed that once passed, Ordinance 2290 was the ordinance that would be potentially amended in the future with a revised traffic impact fee. If there was general consensus that the impact fees should be reviewed periodically, was it best to just know that, or was there a need to embed that thought in the ordinance with some particular time frame? He didn't have a preference as long as they had the opportunity to review and adjust it if required.

Mr. Schuller would like to bring both options to the Council when it comes back for adoption after the state has reviewed everything.

Citizens' comments - none  
Citizens' comments – closed

Mayor Guzak confirmed staff had the information they needed.

## **ACTION ITEM 7c**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Owen Dennison, Planning Director  
**Subject:** **Adoption of Updated Comprehensive Plan – Ordinance 2308**

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This agenda item provides the opportunity for the City Council's deliberation on and final approval of draft Ordinance 2308 to adopt amendments that comprise City's 2015 Comprehensive Plan periodic update. The update has been a work in progress for almost four years since the Planning Commission's initial discussion in April 2012. A public hearing was held by the City Council on June 16, 2015, and the City Council provided preliminary approval of the draft Comprehensive Plan on July 7, 2015, allowing staff to take the required step to submit it to the Washington State Department of Commerce for 60-day review. The City was informed by Commerce in February of this year that state agencies had no required or recommended revisions and that adoption could proceed.

The Comprehensive Plan is required to be updated at intervals established in the Growth Management Act (GMA - RCW 36.70A) and as have been temporarily modified by the legislature. These updates are intended to ensure that local comprehensive plans are reviewed for compliance with GMA as currently adopted, including a demonstration of adequate capacity to accommodate and serve growth targets over the subsequent 20-year period.

The City chose a more rigorous review and update than may have been required for strict compliance with GMA. The City adopted its first GMA Comprehensive Plan in 1995. The Plan has been amended on a piecemeal basis most subsequent years. A periodic review and update occurred in 2004 and 2005, although changes were not extensive. Updates to certain sections were deferred to a later year and then never addressed due to staffing and time constraints. In general, there appears to have been minimal effort to update the background sections. Consequently, the current Comprehensive Plan is now largely out of date and its policies confusing, repetitive, and in many cases obsolete with respect to current circumstances. Over time, the Plan has been used progressively less for guidance and has become significantly less relevant to the City and its current functions.

From 2012 through June of 2015, the Planning Commission reviewed each goal and policy for understandability, clarity of purpose and intent, adequacy, currency with respect to the City's circumstances and priorities, and consistency with GMA, the Countywide Planning Policies, and the Puget Sound Regional Council (PSRC) Vision 2040 Multicounty Planning Policies. Most goals and policies were either removed or rewritten and many were moved between elements. The Planning Commission's recommended policy amendments were reviewed by the City Council on an element-by-element basis in 2014 and 2015, with desired changes and additional consideration remanded to staff and the Planning Commission.

Consistent with GMA requirements, the Comprehensive Plan contains eight "elements" or chapters, each describing conditions and providing policy guidance on a specific area of emphasis. The elements include: Land Use, Housing, Economic Development, Environmental

## **ACTION ITEM 7c**

Protection, Parks, Transportation, Capital Facilities, and Utilities. The current adopted Comprehensive Plan has two additional elements--Community Services and Facilities and Policy Plan Implementation—that are recommended by the Planning Commission for removal from the Plan. Any relevant goals and policies from these two elements have been relocated to other elements.

The background information and analysis in each element has been rewritten to reflect the current and future circumstances of the City. Information in the Housing Element is based on the Housing Profile prepared for the City by the Alliance for Housing Affordability in 2014. The Parks Element reflects and refers to the information in the updated Parks, Recreation, and Open Space (PROS) Long Range Plan adopted in 2015. The Transportation Element has been updated in concert with the draft Transportation Master Plan, currently proposed for adoption. The Transportation Master Plan, like the PROS Plan and the adopted utility plans are functional plans that augment and implement the information and policies of the Comprehensive Plan.

The Capital Facilities Element is required to identify expanded or new capital facilities and describe a six-year plan to finance the facilities within funding capacities and clearly identified source of public money. This element and its six-year capital project plan have not been substantively updated since 2006. The projects proposed in the draft Element are derived from the capital project lists in the adopted Parks, Recreation, and Open Space Long Range Plan and the draft Transportation Master Plan, according to the priority schedule identified in each, as well as lists of utility and facility projects anticipated by the Public Works Department. Moving forward, staff encourages the use of the Capital Facilities Element as a guide for annual capital improvement decisions. As a departure from past practice, the project lists should be reviewed annually and updated as necessary as part of the budgeting process for the following year.

The 2015 update has not required any changes to the Land Use Map to increase capacity, and no map amendments were proposed. The 2035 growth targets for population, housing units, and employment are adopted in the current Snohomish County Countywide Planning Policies. According to the 2012 Buildable Lands Report prepared by Snohomish County, the City has adequate capacity to accommodate the growth targets within the current land use framework. There is a small deficit for the portion of the population target applicable to areas within the City limits. However, the combined capacity of the City and unincorporated urban growth area (UGA) are sufficient to accommodate the combined target. As part of its growth target reconciliation process, the Snohomish County Tomorrow (SCT) Planning Advisory Committee is expected to recommend to the SCT Steering Committee that the 150 person deficit be moved from the City to the City's unincorporated UGA. Targets and capacities for population, housing and employment are shown in the following tables.

<b>Population</b>	<b>2011 Population</b>	<b>2035 Target</b>	<b>2011-2035 Increase</b>	<b>2011 Capacity</b>	<b>Surplus (Deficit)</b>
City of Snohomish	9,200	12,289	3,089	2,939	(150)
Snohomish UGA	1,359	2,204	846	1,409	563
Total	10,599	14,494	3,935	4,348	413

## **ACTION ITEM 7c**

<b>Housing Units</b>	<b>2011 Units</b>	<b>2035 Target</b>	<b>2011-2035 Increase</b>	<b>2011 Capacity</b>	<b>Surplus (Deficit)</b>
City of Snohomish	4,013	5,269	1,256	1,288	32
Snohomish UGA	532	846	315	506	191
Total	4,545	6,115	1,570	1,794	224

<b>Employment</b>	<b>2011 Jobs</b>	<b>2035 Target</b>	<b>2011-2035 Increase</b>	<b>2011 Capacity</b>	<b>Surplus (Deficit)</b>
City of Snohomish	4,415	6,291	1,876	2,267	391
Snohomish UGA	456	650	194	289	95
Total	4,871	6,941	2,070	2,556	486

Modifications to the draft Comprehensive Plan since the last review by the City Council in July 2015 are shown in legislative format. The amendments are due to recommendations by staff of the Aviation Division of the Washington State Department of Transportation (WSDOT) and the PSRC. These revisions are primarily intended to address consistency issues with the PSRC Vision 2040 Multicounty Planning Policies. The most substantive changes to the Planning Commission's recommended version address the City's commitments for airport compatibility consultation in the Land Use Element (draft policies LU-2.6, LU 2.7, LU 2.8, and LU 2.9). Staff will address the other proposed revisions in the presentation to the City Council.

**STRATEGIC PLAN REFERENCE:** The overall Comprehensive Plan update is specifically applicable to Initiative #2, *Strengthen our foundations for connecting neighbors and enhancing our neighborhoods*, and Initiative #4, *Increase multi-modal mobility within and connections to the community*, and more generally to all initiatives of the Strategic Plan.

**RECOMMENDATION:** That the City Council ADOPT Ordinance 3208 to amend the City of Snohomish Comprehensive Plan.

### **ATTACHMENTS:**

- C. Draft Ordinance 2308
- D. Meeting minutes

### **REFERENCE DOCUMENTS:**

- A. Current adopted City of Snohomish Comprehensive Plan (City website at <http://www.snohomishwa.gov/DocumentCenter/Home/View/90>)
- B. Planning Commission recommended Comprehensive Plan with subsequent proposed revisions <http://wa-snohomish.civicplus.com/DocumentCenter/View/2353>

ATTACHMENT A

**CITY OF SNOHOMISH  
Snohomish, Washington**

**DRAFT ORDINANCE 2308**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,  
AMENDING THE CITY OF SNOHOMISH COMPREHENSIVE PLAN IN  
ACCORDANCE WITH THE GROWTH MANAGEMENT ACT;  
AMENDING ORDINANCE 1866 AS AMENDED; PROVIDING FOR  
SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, pursuant to the requirements of the Washington State Growth Management Act of 1990, RCW Chapter 36.70A (GMA), the City of Snohomish Comprehensive Plan was adopted on April 4, 1995, pursuant to Ordinance 1777; and

**WHEREAS**, on August 4, 1998, the Snohomish City Council adopted amendments to the Comprehensive Plan pursuant to Ordinance 1866 to reconcile the City's Comprehensive Plan with the Snohomish County Comprehensive Plan, and to bring it into full compliance with the GMA; and

**WHEREAS**, in 2004 and 2005, the City reviewed the Comprehensive Plan and development regulations to comply with the periodic update requirement under RCW 36.70A.130(4)(a) of the GMA, resulting in the City Council's adoption of amendments to the Comprehensive Plan and development regulations pursuant to Ordinance 2070 on February 15, 2005; and

**WHEREAS**, the City of Snohomish is required under RCW 36.70A.130(5)(a) to review and, if needed, to revise its Comprehensive Plan and development regulations in 2015 to ensure the plan and regulations comply with and are consistent with the GMA, as amended; and

**WHEREAS**, the City reviewed the Comprehensive Plan and determined that amendments were necessary to update background information and analysis to be consistent with the current circumstances of the City; to address consistency with the Snohomish County Countywide Planning Policies and the Puget Sound Regional Council's Vision 2040; to update the capital facilities plans in the Capital Facilities Element; to modify or remove policies that are no longer consistent with the current vision and priorities of the City, that have already been implemented, that duplicate direction in other policies, or that are unclear as to purpose or intended implementation; to update the capital facilities plans in the Capital Facilities Element; and to add policies reflective of the changing circumstances of the City and the City Council's priorities; and

**WHEREAS**, the City engaged a consultant with expertise in transportation planning and engineering to prepare a new Transportation Master Plan including an inventory of existing transportation facilities, a twenty-year travel demand forecast, and a list of capital improvements necessary to maintain the City's adopted transportation level of service; and that Transportation Master Plan is adopted as functional plan to support and implement the Comprehensive Plan; and



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**WHEREAS**, in an open public process, from April 2012 through June 2015, the City of Snohomish Planning Commission reviewed the goals and policies of each of the elements of the Comprehensive Plan for clarity and currency, and recommended amendments to the City Council as internally consistent, consistent with the Growth Management Act, all of which are deemed in the interest of public health, safety, and general welfare of Snohomish residents; and

**WHEREAS**, the City of Snohomish Parks Board reviewed amendments to the goals and policies of Parks Element of the Comprehensive Plan in March 2015 and recommended approval; and

**WHEREAS**, the City of Snohomish Economic Development Committee reviewed amendments to the goals and policies of Economic Development Element of the Comprehensive Plan in March 2015 and recommended approval; and

**WHEREAS**, the City Council reviewed proposed amendments to the Comprehensive Plan in open public meetings in October, November, and December of 2014, and in February, March, April, May, and June of 2015; and

**WHEREAS**, on June 16, 2015, the City Council held a public hearing on the Planning Commission's recommended amendments to the Comprehensive Plan with public notice provided as required by law, and all persons wishing to be heard were heard; and

**WHEREAS**, as required by RCW 36.70A.510 and RCW 36.70.547, the City engaged in a formal consultation process on airport-related policy amendments with the operator of Harvey Field, the Washington Airport Management Association, the Washington State Community Airport Association, the Washington Pilots Association, and the Aircraft Owners and Pilots Association, Northwest Region, and all comments were considered; and

**WHEREAS**, the City of Snohomish has reviewed its development regulations for consistency with the GMA and with the proposed amendments to the Comprehensive Plan and found that the development regulations are consistent with GMA pending further review of the critical areas regulations; and

**WHEREAS**, pursuant to SMC 14.15.070 and RCW 36.70A.106, the City notified the Washington State Department of Commerce of the City's intent to adopt amendments to the Comprehensive Plan; and

**WHEREAS**, the Department of Commerce notified the City that State agencies had no comments, corrections, or recommended changes to the draft updated Comprehensive Plan; and

**WHEREAS**, in taking the actions set forth in this Ordinance, the City of Snohomish received comments and recommendations from the Puget Sound Regional Council, whose recommendations are incorporated in this ordinance; and

**WHEREAS**, the City's SEPA responsible official reviewed the proposed amendments and determined that the proposal does not have probable significant adverse environmental impacts, and thus, in accordance with Washington Administrative Code 197-11-340(2), a determination of non-significance was issued for the proposed amendments on February 29, 2016; and

**ACTION ITEM 7c**

**WHEREAS**, public notice of the SEPA threshold determination was provided as required by law;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The City Council, having considered the Planning Commission's recommended draft Comprehensive Plan, hereby adopts the foregoing findings and conclusions.

**Section 2.** The City Council, having considered recommendations of the Planning Commission, the Parks Board, and the Economic Development Committee, and information in the public record, hereby adopts the amended Comprehensive Plan as set forth in the attached Exhibit A which is incorporated herein by this reference.

**Section 3.** The City Council directs and authorizes the Department of Planning and Development Services Director and the City Clerk to take all such actions as are necessary and appropriate to implement the findings, conclusions, and decisions set forth in this Ordinance and to make the Comprehensive Plan available to the public and other interested parties.

**Section 4.** Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

**Section 5.** Effective Date. This Ordinance shall take effect five days after publication by summary.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 15<sup>th</sup> day of March, 2016.

CITY OF SNOHOMISH

By \_\_\_\_\_  
KAREN GUZAK, MAYOR

Attest:

By \_\_\_\_\_  
PAT ADAMS, CITY CLERK

Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY

**Snohomish City Council Meeting Minutes Excerpt  
July 7, 2015**

**6. ACTION ITEM – APPROVE Preliminary Comprehensive Plan**

The City was finally approaching the finish line with this project. The intent of the update in addition to meeting state requirements was to breathe life back into a document that received very little attention in recent decades. Staff noted at the outset that this was an opportunity to make the comprehensive plan more current, more concise, and more understandable. With compliments and appreciation to the Planning Commission, staff believed this was done.

The comprehensive plan was primarily a policy document. Since 2014 the Council had regularly reviewed and commented on draft proposed goals and policies recommended by the Planning Commission. In addition, analyses of current and future conditions were also required by the Growth Management Act with specific areas of emphasis outlined in the act. A brief review was given of the major points of emphasis in each element. The draft Land Use Element provided historic context and development patterns, and addressed population targets and capacity. It described the land use map designations and employment capacities; provided an inventory of land use designations by area; described individual urban growth areas and the annexation process. A section on the North Planning Area was included which the current plan identified as an area of future interest to the City; after responsible and prudent consumption of the City's current UGA and land within the City, the City would look to it for future growth. As a new point of emphasis with the GMA, a physical activities section talked about floodplain land use and drainage.

The Housing Element discussed the City's housing targets from the countywide planning policies and the capacity to accommodate that target from the 2012 Buildable Lands Report produced by Snohomish County. It identified existing housing stock and household characteristics, general income of City households as an overview, housing affordability and cost burdening for certain households and income levels. Finally it identified the City's current strategies for addressing affordability issues in the community.

The Economic Development Element went through certain economic factors including the location of the City and the effect that had on economic development; the employment target from the CPPs, the capacities identified in the 2012 Buildable Lands Report, and land use planning. Sector employment within the City, employment of City residents, and how those compared were discussed. Taxable sales by year and industry classification from 2014 were addressed.

The Environmental Element provided an overview of the major water bodies and channels as well as wetlands and their environmental attributes. It touched on threats to ecosystems. On the hazard side it discussed flood plains and geologically hazardous areas, and how they were addressed through the City's development regulations and review process.

The Parks Element was substantially the same as it was before since it was adopted in 2007. That made it fairly young for the current comprehensive plan. It was updated with current references. The current version talked about the community benefits of parks, described the classifications of parks, and the City's service level for each classification with reference to the Parks, Recreation and Open Space Long Range Plan which had more detail on the topics.

## **ACTION ITEM 7c**

The Transportation Element was largely produced by the consultants for the Transportation Master Plan, relying heavily on the master plan for detail over many of the same topics. It provided an overview of the system components, LOS standards, and improvement projects identified in the master plan. It touched on land use with regard to transportation planning, certain environmental issues, and pavement preservation. Estimated costs of various components of the improvement strategy and approaches to address funding deficiencies were identified, should the City not be able to meet the schedule of improvements identified in the master plan.

At a high level the Capital Facilities Element provided an overview of the water, sewer and stormwater systems, as well as issues for each representing significant costs in the future. For instance, in the water utility the City was looking at potential decisions on whether to abandon the water treatment plant or significantly upgrade it as has also been discussed to increase capacity. Either option would represent some costs. With the wastewater system, continued upgrades were required to the treatment plant as well as potential CSO separation projects which would also be fairly expensive.

One long-range project was the potential construction of segment 3 of the Cemetery Creek Trunkline (segments 2 and 3 were not constructed because of the downturn in the economy). This would go from segment 1 at 16<sup>th</sup> Street west of SR 9 to the northwest corner of Blackmans Lake. It was an important improvement that had to be addressed in the next twenty years to achieve the capacity the City needed to accommodate growth. That was identified as a longer-term goal. The Capital Facilities Element also discussed municipal facilities that were not associated with parks and utilities, potential capacity implications as the City moves forward, and some of the improvements that were envisioned.

For transportation and parks, the related functional plans provided additional detail on the systems and identified capacity improvements to meet growth targets. The Capital Facilities Element discussed the school district capital facility plan and adopted the district's current plan by reference, so the City wouldn't have to re-adopt it every year. It allowed the Council to adopt the school impact fee as it changed on a biennial basis. A re-assessment strategy for the City was included if funding fell short, as required by the GMA, such as changes to the phasing of growth in the context of the land use map; modifications to lower the LOS; or looking for alternative financing methods to achieve the same result.

Within the Capital Facilities Element was a six-year capital improvement plan for each of the utilities, parks, transportation, sidewalks and trails, and general governmental facilities. The tables included projects identified in the functional plans or by Public Works as priorities to resolve existing issues or to accommodate growth targets. Costs were identified over a six-year period. As the comprehensive plan was based on a 20-year planning horizon, certain projects identified for growth in the functional plans will not occur within the first six years.

A six-year capital improvement plan was not only a requirement of the GMA but it was also a tool to schedule improvements and expenses on a multi-year basis. The format provided a way to look at cumulative costs by year. Priorities and schedules for making improvements will change according to available grants, emergency work, and other factors. To address changing circumstances, the recommendation was that the plan be reviewed and updated annually with the budgeting process. Growth management allowed a docketing sequence for changes to the Capital Facilities plan that occurred in concert with the budgeting process.

Council priorities identified in the six-year TIP had some differences from the list approved tonight and those will be incorporated into the draft table. When the Capital Improvement Plan comes back for Council review, those priorities will be incorporated as well, modifying the current structure. The final element was the Utilities Element that addressed non-City

## **ACTION ITEM 7c**

utilities including electricity, natural gas, solid waste and recycling, telecommunications, and wireless facilities,

This was the substance of the draft comprehensive plan. With Council concurrence, staff will prepare a title page, table of contents and brief introduction, and transmit it to the state Department of Commerce for the 60-day review. However if the Council had concerns or preferred to discuss elements further at a future meeting, staff will schedule it and hold the transmittal. In staff's view minor changes could be accomplished during the 60-day review, as long as any changes were non-substantive. This could be potential revisions to projects identified in the Capital Facilities Element.

Councilmember Kaftanski thanked staff and the Planning Commission for all the work they had done; they had been relentless and detailed. They walked the Council through it, giving the Council every opportunity to comment. Staff had accommodated comments and thought about them. It had been a comprehensive thorough process and he really appreciated the countless, and probably thankless, hours put into it. This was an important document that sometimes didn't get the necessary air time it should. He really appreciated the effort and asked that his thanks be conveyed to the Planning Commission and Planning staff.

**MOTION** by Kaftanski, second by Rohrscheib, that the City Council approve the draft elements for transmittal to the Washington State Department of Commerce for review.

Mayor Guzak believed the entire Council concurred with Councilmember Kaftanski's thanks for the work of the Planning Commission and Mr. Dennison. Mr. Dennison achieved part of his goal to reduce the verbiage, and make the document more concise and workable.

Mr. Weed confirmed the process. Once the document was sent, the Department of Commerce had a review period and would provide any comments. Ultimately the plan will come back to the Council one more time for final adoption by ordinance.

**VOTE ON THE MOTION:** The motion carried unanimously (6-0).

### **Snohomish City Council Meeting Minutes Excerpt June 16, 2015**

#### **6. PUBLIC HEARING – 2015 Comprehensive Plan Update**

The Council held a workshop on the comprehensive plan update one year ago. At that time staff proposed using the 2015 update to conduct a broad review and overhaul of the existing policies to make the comp plan more understandable and usable, and therefore more relevant in the City's life. Prior updates had added and amended policies. However it wasn't clear that any critical evaluation of the usefulness or necessity of existing policies had occurred since the 1990's.

No land use changes were proposed. The City had adequate land capacity to accommodate its 2035 population and employment targets as adopted in the countywide planning policies. This update was an opportunity to winnow out 10-to-20 year-old policies that were in many instances out of date, overly general, overly specific, redundant, or unclear in original intent.

The Planning Commission started its review of the existing policies in April 2012 and, in addition to other priorities, has diligently worked through each element in sequence. It was important to emphasize the intent has been to clarify and streamline rather than to change the



## **ACTION ITEM 7c**

direction in the current policies.

Certain revisions for compliance with the current countywide planning policies and the Puget Sound Regional Council's *Vision 2040* had been incorporated also. The result was a recommended set of goals and policies. With the exception of the vision statement in the Environmental Protection Element goals and policies, the City Council has reviewed all the Planning Commission's recommended amendments over the last ten months.

This was the Council's first discussion of the vision statement and the EP Element policies. A vision statement was whatever the community wanted it to be. The Growth Management Act had no requirements or guidelines for vision statements although they were typically part of comprehensive plans. The Planning Commission felt the current series of 15 statements at the front of the comp plan and another 35 interspersed with the elements was excessive and a significantly more concise statement would achieve the same or better express the community's identity and future vision. The Planning Commission's recommended statement was provided in the staff report.

The EP Element was not a required element. With the removal of the Policy Implementation and Community Facilities Elements, the EP Element would be the only discretionary element left in the plan. While not required, its policies served an important purpose in guiding the City's approach to protecting critical areas from harm or preventing them from causing harm. The Planning Commission's recommendations significantly reduced the number through consolidation of certain policies, and removal of policies that appeared unnecessary for a variety of reasons.

A number of goals and policies related to areas subject to the City's Shoreline Master Program. Staff wasn't clear how those were intended to integrate with the SMP policies when adopted in the 1990's. Since completion of the SMP was expected to follow the comp plan update, staff and the Planning Commission recommended that these be preserved as written today and then replaced when the Council updated the SMP policies later this year. That replacement could be done in the 2016 comp plan amendment cycle.

A Revision Sheet was provided with fairly minor amendments proposed since the agenda packet went out. EP 1.1 read "- - - accepted best available science standards and practices." It was proposed to remove "accepted" as best available science was an evolving idea; it was clearly understood when BAS was referred to that it was today's BAS and could be accepted.

EP1.2 was a very long sentence and it was proposed to divide it into two parts. It said that professional assistance should be used in determining when regulated critical areas were present and then how a development proposal would comply with critical areas regulations; and secondly, to use professional studies and guidance when it was prudent to ensure that public and environmental safety were adequately addressed as development occurred. One part was compliance with the regulations and the other was compliance with BAS in general. In EP 4.4, it was suggested that the term 'adequate' didn't need to be there. Best management practices were what they were and didn't need to be qualified.

There had been direction to staff and the Planning Commission to make certain changes over the past months. There were no recommended changes to the Land Use Element. Council comments on Housing Element goal HO 6 were that the intent was not to minimize development cost but to have fair and adequate development cost. That was rewritten to include a phrase about achieving the intended public purpose. This was actually more consistent with *Vision 2040* policy that spoke about minimizing or keeping the soft development costs of

## **ACTION ITEM 7c**

development review as low as possible so as to keep housing costs as low as possible while preserving the intended public purpose.

The concern with the remainder of the Housing Element policies was with using the term ‘ensure.’ The City could strive or endeavor but ensuring was a difficult thing and a high bar to commit to. Policies 6.1 through 6.4 were each modified to remove ‘ensure’ and maintain the spirit of the policy.

In the draft Economic Development Element, two policies were recommended for removal entirely. One was to conduct a cost benefit analysis for each new ordinance as appropriate. The other was to implement a policy through which the Economic Development Committee would review each new regulation that would have some impact on economic development. It was determined that ED 2.3 providing for EDC review was something the EDC could do at any time, with their comments forwarded to the City Council for consideration.

There were also several amendments to the draft Parks Element goals and policies. These particularly addressed lands that the City might receive either in lieu of a parks mitigation fee or through donation or contribution. There was a concern that the City would want to be somewhat circumspect in accepting lands, as some lands might have a higher maintenance cost than the return and others would not be appropriate to be in lieu of the development fee since the City could do more with the park impact fee than potentially a land contribution. These provided a qualifier that the City could determine on a case-by-case basis when to accept lands in lieu of fees or as donations.

In the draft Transportation Element, goal TR 1.1 identified certain things that the City wished to achieve through its improvements to the transportation system. It was recommended that there be an environmental outcome as well as improvements so that was added. In goal TR 2 it talked about increasing the use of other modes of transportation and thereby reducing the necessary dependence on single occupant vehicles. It was pointed out that society was wedded to the car and cars weren’t going away. What they really wanted to do was increase the share of other modes of transportation, particularly non-motorized modes. The goal was rewritten to address the positive of increasing the share rather than decreasing the number of single occupant trips.

In TR 5 with regard to traffic calming measures there was a comment that not all calming measures were created equal and there should be some caveat that the general benefits to the community had to outweigh the cost of slowing traffic. There may be situations where traffic calming such as speed bumps may be great for neighborhoods but slowed down emergency vehicles making a response. Therefore the term ‘effective’ was added to the policy.

In the Capital Facilities Element, CF 1.2 included criteria about evaluating capital improvement projects and one was to be consistent with prudent fiscal management. The comment was that prudent fiscal management shouldn’t be just the short-term gains and costs; maintenance costs down the road should be looked at as well so that was clarified. In CF 2.9 there was again concern about ensuring that wastewater treatment and stormwater management costs were contained. The revision was to remove the term ‘ensure.’ It maintained the same intent to evaluate cost assumptions, emerging technologies, and growth projections with the intent to minimize these costs but there was not the commitment in ensuring that they will be minimized or contained.

In the Utilities Element goals and policies the existing UT 1.9 policy was somewhat modified to remove extraneous language. That included long-standing direction to put existing over-

## **ACTION ITEM 7c**

head utilities underground where feasible when major capital improvement projects were done. The question was raised 'did the City do this' and the answer was 'very rarely if ever.' Secondly, was the City budgeting for this very high cost? The costs would be entirely borne by the City as grants no longer covered this portion. When the question went back to the Planning Commission, they recommended limiting it to undergrounding utilities in new development, generally in plats when there was extensive new infrastructure going in.

UT 1.12 regarding new cell towers was initially proposed so that adverse impacts would be minimized. The concern was more general compatibility in design and location. Compatibility was a difficult term to implement but aesthetic impacts were included as the potential that may be considered in locations. The City had limited regulations for new cell towers. An update to provide more substance to the cell tower regulations was on staff's docket to bring back to the Council. Lastly, UT 1.20 provided information on various ways to reduce waste. One of the best methods was re-use before the item was eventually thrown away.

Mayor Guzak concurred with the changes listed on the revision sheet. She would love to see overhead utilities placed underground where feasible but understood the economic burden so striking it was appropriate. Relative to the waste stream, they had talked earlier about the concept of re-use. She appreciated the work done to fine-tune the plan. Had the Planning Commission had a chance to look at the revisions?

Mr. Dennison said the Planning Commission had seen all the revisions except for those in the Environmental Protection Element which were done this week and were fairly minor.

Councilmember Kaftanski thanked Council and staff for putting up with all his comments on the update process. When the Planning Commission begins its work on the Shoreline Master Program update in the future, he was hopeful there would be an opportunity to discuss some language dealing with climate change. Climate change was not a required element in a comp plan but jurisdictions were including some policy language on it. Probably the most obvious impact was the rising sea levels so it might be fortuitous to bring the topic up as shoreline management was discussed.

Citizens' comments – none  
Citizens' comments – closed

Mr. Dennison noted that the entire document was 10-20 years out of date. Background portions were being updated. The complete document will come back on July 7<sup>th</sup>. The City will be one week late in getting it to the state but staff didn't feel there was any particular liability in that, as other jurisdictions were even further behind. Puget Sound Regional Council will also be reviewing it.

Mayor Guzak thanked Mr. Dennison for the huge amount of work on the comp plan.

## **DISCUSSION ITEM 8**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Yoshihiro Monzaki, City Engineer  
**Subject:** **Unnamed Right-of-way (east of Cypress Avenue) Vacation Request**

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Ms. Diane McDowell, owner's representative of Parcel No. 00575900100100 (165 Cypress Avenue), has requested a street vacation of a portion of an unnamed right-of-way that is east of Cypress Avenue and south of the Pilchuck Park access. The requested vacation area is along the north side of Parcel No. 00575900100100 and was dedicated as part of the Sinclair Third Addition plat in 1892. A street vacation is a process whereby the City agrees to relinquish its ownership of a street right-of-way to a land owner.

In January 2016, Ms. McDowell requested a right-of-way use agreement instead of a street vacation. Staff explained to her that a right-of-way use agreement would require compensation or that the applicant provides a benefit to the City. Ms. McDowell stated that the mobile home park provides low income housing to the residents. Although this does provide housing for Snohomish residents, it is not considered a public benefit. It is a private home.

Ms. McDowell is requesting a vacation of the full 60-foot width of the unnamed right-of-way. The property on the north side of the requested vacation area is owned by the City and is a part of Pilchuck Park. The total requested vacation area is approximately 7,200 square feet. Property owners have a claim to the half of the right-of-way that abuts their property. City staff is recommending that only the southern 30-feet of the right-of-way be vacated (approximately 3,600 square feet). This will allow the City to improve or modify the Pilchuck Park access, or relocate utilities in the future, if necessary.

If granted by the City, the vacated portion of the City's right-of-way would become a part of Parcel No. 00575900100100. Ms. McDowell has requested this vacation to resolve an existing encroachment of four mobile homes that were placed within the requested vacation area more than 40 years ago.

Chapter 12.48 of the Snohomish Municipal Code (SMC) describes the process for Street Vacations. The code allows the applicant to request a meeting with the City Council to discuss the proposal. This allows the applicant to discuss the petition with the Council before spending funds on a professional appraiser, and preparation of legal descriptions. If the vacation is approved by the City, the applicant will be required to compensate the City for the vacated property as required.

According to SMC Section 12.48.010 the petition shall be signed by the owners of more than two-thirds of the property abutting the part of street to be vacated. Because the City owns the property on the north side of the requested street vacation area, the City Council must authorize staff to sign the street vacation petition, if Council decides to proceed with the requested full width (60-foot) street vacation.

## **DISCUSSION ITEM 8**

The City utilities (sewer, water and storm) are within the paved access to Pilchuck Park, north of the requested vacation area. Frontier has a conduit along the southern part of the vacation area. This conduit serves only the mobile home park. An easement may be needed for this service. The City will work with the applicant to confirm the utility locations if Council authorizes staff to proceed forward.

Attachment A includes the transmittal letter from the applicant which describes how the requested vacation satisfies the criteria for granting a vacation as set forth in SMC 12.48.080.

Attachment B is an aerial map that shows the approximate area of the requested street vacation.

The vacation would not affect the existing traffic flows or travel lanes. There would be no impacts to the access of adjacent properties due to the street vacation.

Per SMC 12.48.015, the City Council's "preliminary determination shall not be final or binding in any respect. If the applicant thereafter decides to proceed with a street vacation petition, all provision of this chapter shall apply."

**STRATEGIC PLAN REFERENCE:** Not applicable.

**RECOMMENDATION:** That the City Council **DISCUSS** the Street Vacation request and **RECOMMEND** staff process the petition for vacation of a portion of the southern 30-feet of the unnamed right-of-way east of Cypress Avenue and South of the Pilchuck Park access.

### **ATTACHMENTS:**

- A. Street Vacation Request Letter
- B. Street Vacation Aerial with Parcel Lines Exhibit

**REFERENCE DOCUMENT:** Chapter 12.48, Street Vacation, Snohomish Municipal Code.  
(<http://www.snohomishwa.gov/DocumentCenter/Home/View/424>)



## **DISCUSSION ITEM 8**

### ATTACHMENT A

Airdree "Pete" Ensign  
P. O. Box 249  
Morton, WA 98356

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September 8, 2015

Ms. Torchie Corey  
City Clerk  
City of Snohomish  
116 Union Ave.  
Snohomish, WA 98290

**E-mail Transmittal**  
**corey@snohomishwa.gov**  
**Hard Copy to Follow**

Dear City Clerk Corey:

I would like to request a pre-application meeting with the City Council to discuss the proposal of vacationing the street "County Road" that is adjacent to Pilchuck Park Rd. and connects with Cypress Ave. My Grandmother's property address is 165 Cypress Ave. Snohomish, WA 98290 and her parcel number is 00575900100100.

I am requesting the vacation of the "County Road" because I believe it meets the criteria for granting street vacations. My reasons for the request are:

1. The right-of-way vacation will not adversely affect the street pattern or circulation of the immediate area of the community as a whole. The Pilchuck Park Rd. replaced the "County Road".
2. The public need will not be adversely affected. The Pilchuck Park Rd. allows access to the Pilchuck Park.
3. The right-of-way is not contemplated or needed for future public use. The adjacent property the City owns I believe is a cemetery.
4. No abutting owner will become landlocked or access be substantially impaired due to the vacation of the "County Road".
5. The vacation will provide a public benefit by continuing affordable housing for residence of the Mountain View Trailer Park.

I will be acting on behalf of Grandmother and/or the Mountain View Trailer Park.

If you should have any questions, concerns, or communications, please feel free to email me at [jditmcdowell@msn.com](mailto:jditmcdowell@msn.com) or contact my cell phone at (253) 691-4668.

Thank you in advance for your attention to this matter and your consideration.

Sincerely,

**MOUNTAIN VIEW TRAILER PARK**



**DIANA MCDOWELL  
POWER OF ATTORNEY  
FOR AIRDREE "PETE" ENSIGN**

cc: Steve Schuller, PE, Public Works Director  
Owen Dennison, Planning Director  
Yoshihiro Monzaki, City Engineer

**DISCUSSION ITEM 8**

ATTACHMENT B



**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>AAA Champion LLC</b>					
	58322	87	3/9/16	janitorial service-March	\$1,852.93
				Check Total	<b>\$1,852.93</b>
<b>Allied Waste of Lynnwood</b>					
	58323	February 2016	3/9/16	Recycling Services February 2016	\$45,985.31
	58323	February 2016	3/9/16	Solid Waste Services February 2016	\$104,678.90
	58323	February 2016	3/9/16	Solid Waste Tax February 2016	\$-433.51
				Check Total	<b>\$150,230.70</b>
<b>Washington Tractor</b>					
	58324	927995	3/9/16	filters EP25	\$101.00
	58324	926864	3/9/16	filters EP20	\$47.29
				Check Total	<b>\$148.29</b>
<b>Bills Blueprint Inc.</b>					
	58325	525390	3/9/16	Sign lamination - 20 acre riverfront mtg	\$46.18
	58325	526433	3/9/16	PDF of Centennial Trail	\$21.76
				Check Total	<b>\$67.94</b>
<b>CDW G</b>					
	58326	CCZ4906	3/9/16	Wireless Access Point	\$187.60
	58326	CCM6741	3/9/16	Wireless Access Point Router	\$161.63
	58326	CFW6494	3/9/16	maintenance renewal software	\$190.84
				Check Total	<b>\$540.07</b>
<b>Central Welding Supply Inc.</b>					
	58327	RN02161019	3/9/16	acetylene	\$13.92
				Check Total	<b>\$13.92</b>
<b>Chemsearch</b>					
	58328	2221176	3/9/16	drain cobra program	\$141.44
				Check Total	<b>\$141.44</b>
<b>ChemTrade</b>					
	58329	91749875	3/9/16	Aluminum Sulfate	\$4,704.51
				Check Total	<b>\$4,704.51</b>
<b>City of Mukilteo</b>					
	58330	003092	3/9/16	SCC Dinner 2/18/16	\$35.00
				Check Total	<b>\$35.00</b>
<b>City Of Everett Utilities</b>					
	58331	01673903192016	3/9/16	99th St SE/5 Line	\$966.01
	58331	01954603192016	3/9/16	3300 Blk Bickford Ave	\$2,520.98
	58331	01741003192016	3/9/16	6203 107th Ave SE	\$985.44
	58331	01016403192016	3/9/16	6400 118th Dr SE	\$468.37
	58331	01015703192016	3/9/16	6600 109th Ave SE	\$33,718.21
				Check Total	<b>\$38,659.01</b>
<b>Environmental Systems Research</b>					
	58332	93051061	3/9/16	ESRI ArcGIS Primary Maintenance	\$1,632.00
				Check Total	<b>\$1,632.00</b>

**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>Evergreen State Heat &amp; AC</b>					
	58333	30172	3/9/16	trane installation- PD	\$16,744.32
				Check Total	<b>\$16,744.32</b>
<b>Frontier</b>					
	58334	227125-2/16	3/9/16	CSO Alarm Dialer	\$57.72
	58334	413125-2/16	3/9/16	WWTP DSL	\$79.99
				Check Total	<b>\$137.71</b>
<b>GCR Tires &amp; Service</b>					
	58335	801-30196	3/9/16	Loader Tire Mounting	\$74.85
				Check Total	<b>\$74.85</b>
<b>Granich Engineered Prod Inc</b>					
	58336	GI-0300276	3/9/16	CSO Pump Stat Parts	\$2,954.42
				Check Total	<b>\$2,954.42</b>
<b>Green Dot Concrete</b>					
	58337	402	3/9/16	concrete	\$237.56
				Check Total	<b>\$237.56</b>
<b>Hach Chemical</b>					
	58338	9793285	3/9/16	Tubing	\$51.20
	58338	9561240	3/9/16	cartridge	\$101.87
				Check Total	<b>\$153.07</b>
<b>H.B. Jaeger</b>					
	58339	168974/1	3/9/16	extension pole	\$33.90
	58339	169085/1	3/9/16	Manhole Riser	\$31.01
				Check Total	<b>\$64.91</b>
<b>H. D. Fowler Company</b>					
	58340	I4140591	3/9/16	Water Parts	\$1,746.29
				Check Total	<b>\$1,746.29</b>
<b>Home Depot - Parks</b>					
	58341	7584045	3/9/16	photocell	\$10.74
				Check Total	<b>\$10.74</b>
<b>Home Depot - Shop</b>					
	58342	8013519	3/9/16	filter for shop vac	\$28.44
				Check Total	<b>\$28.44</b>
<b>Home Depot - Streets</b>					
	58343	3063134	3/9/16	pushbroom	\$29.11
				Check Total	<b>\$29.11</b>
<b>Home Depot - Storm</b>					
	58344	8015643	3/9/16	flat adapter	\$10.86
	58344	8572933	3/9/16	shelf basket	\$23.91
	58344	9073305	3/9/16	rat traps, vac filter	\$19.52
	58344	5133213	3/9/16	hand pump, quick connect	\$58.72
	58344	5572843	3/9/16	nipple, coupling	\$17.69
				Check Total	<b>\$130.70</b>

**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>HD Supply Waterworks LTD</b>					
	58345	F098146	3/9/16	meter replacement parts	\$681.65
				Check Total	<b>\$681.65</b>
<b>Home Depot - Water</b>					
	58346	6010184	3/9/16	tarp, sheathing	\$74.56
	58346	7010071	3/9/16	cedar	\$6.50
	58346	7010050	3/9/16	nifty nabbers, downspouts, elbow	\$78.76
				Check Total	<b>\$159.82</b>
<b>Home Depot Waste Water Treatment</b>					
	58347	4014879	3/9/16	weather strip	\$11.39
	58347	2564811	3/9/16	turbo nozzle	\$39.14
	58347	5014768	3/9/16	batteries	\$45.61
				Check Total	<b>\$96.14</b>
<b>IER Environmental Services, Inc</b>					
	58348	2016-4182	3/9/16	Magnesium Hydroxide	\$10,054.86
				Check Total	<b>\$10,054.86</b>
<b>Integra Telecom</b>					
	58349	13686541	3/9/16	Waste Water Treatment Plant Phone	\$184.87
	58349	13686499	3/9/16	Water Treatment Plant Phones	\$172.13
	58349	13685300	3/9/16	City Hall Digital Phone	\$66.90
	58349	13686369	3/9/16	Water Department Share Shop Phones	\$52.51
	58349	13686369	3/9/16	Street Dept. Share Shop Phone	\$52.53
	58349	13686369	3/9/16	Parks Share Shop Phones	\$26.25
	58349	13686369	3/9/16	Fleet & Facilities Share Shop Phone	\$78.74
	58349	13686369	3/9/16	Collections Share Shop Phone	\$52.53
	58349	13686369	3/9/16	Storm Share Shop Phone	\$52.53
				Check Total	<b>\$738.99</b>
<b>Jones Chemicals Inc</b>					
	58350	681988	3/9/16	chlorine, sulfur dioxide	\$5,295.83
	58350	682057	3/9/16	container returns	\$-499.98
				Check Total	<b>\$4,795.85</b>
<b>Jon Schladweiler</b>					
	58351	03032016	3/9/16	sewer history posters	\$45.00
				Check Total	<b>\$45.00</b>
<b>J Thayer Company</b>					
	58352	1023500-0	3/9/16	Office Supplies	\$168.06
	58352	1021853-0	3/9/16	Office Supplies	\$73.95
				Check Total	<b>\$242.01</b>
<b>Laura Clarke</b>					
	58353	030316	3/9/16	Mileage Reimbursement	\$20.84
				Check Total	<b>\$20.84</b>
<b>Liquivision Technology Inc</b>					
	58354	5230	3/9/16	clean and inspect intake-WTP	\$5,648.87
				Check Total	<b>\$5,648.87</b>



**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>Macks Towing</b>					
	58355	55291	3/9/16	towing-EP44	\$103.36
				Check Total	<b>\$103.36</b>
<b>McDaniel Do It Center - Police</b>					
	58356	469005	3/9/16	Office Supplies	\$13.03
				Check Total	<b>\$13.03</b>
<b>McDaniel Do It Center - Parks</b>					
	58357	468787	3/9/16	paint supplies	\$25.54
	58357	468828	3/9/16	blades, stainer	\$182.73
	58357	469221	3/9/16	ice hardened sawz	\$53.30
	58357	469250	3/9/16	cleaning supplies, batteries	\$68.50
	58357	469292	3/9/16	measuring wheel	\$87.03
	58357	468282	3/9/16	washers, paint thinner	\$26.66
	58357	468311	3/9/16	lock back knife	\$14.13
	58357	468418	3/9/16	paint pen	\$11.95
	58357	468455	3/9/16	fasteners	\$1.74
	58357	468582	3/9/16	sanding disc, knot cup brush	\$57.36
	58357	468865	3/9/16	fasteners, kerosene	\$12.75
	58357	468775	3/9/16	auto body filler	\$13.05
				Check Total	<b>\$554.74</b>
<b>McDaniel Do It Center - Storm</b>					
	58358	469006	3/9/16	light control	\$16.31
				Check Total	<b>\$16.31</b>
<b>McDaniel Do It Center-SS</b>					
	58359	468503	3/9/16	Office Supplies	\$38.87
				Check Total	<b>\$38.87</b>
<b>McDaniel Do It Center- Streets</b>					
	58360	468893	3/9/16	paint pail	\$5.43
	58360	468951	3/9/16	bolt cutters, tarp straps	\$76.02
	58360	469186	3/9/16	garbage bags	\$16.31
				Check Total	<b>\$97.76</b>
<b>McDaniel Do It Center - Water</b>					
	58361	468106	3/9/16	sealant	\$13.05
	58361	469349	3/9/16	tarp	\$23.93
	58361	469063	3/9/16	storage box, cord, hooks, hammer	\$95.46
	58361	469023	3/9/16	misc parts	\$2.05
				Check Total	<b>\$134.49</b>
<b>McDaniel's Do It Center Wastewater</b>					
	58362	469050	3/9/16	yellow jacket bait, misc. hardware	\$31.17
	58362	469103	3/9/16	springs	\$5.23
	58362	469220	3/9/16	fasteners, pulley	\$10.63
	58362	468140	3/9/16	light control	\$9.73
				Check Total	<b>\$56.76</b>
<b>Oldcastle Precast Inc</b>					
	58363	500011390	3/9/16	Stormwater filter cartridges	\$2,448.94
				Check Total	<b>\$2,448.94</b>

**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>Puget Sound Energy</b>					
	58364	2878602172016	3/9/16	112 Union Avenue	\$100.02
				Check Total	<b>\$100.02</b>
<b>Ryan Deleuw</b>					
	58365	pestclassre	3/9/16	meal reimbursement pest. class	\$30.00
				Check Total	<b>\$30.00</b>
<b>Snohomish County Pud #1</b>					
	58366	130947352	3/9/16	#1000524038, 1801 1st, Pole Bldg	\$37.05
	58366	130950210	3/9/16	#1000141397, 2015 2nd, South Meter	\$3,714.54
	58366	140759691	3/9/16	#1000381307, 2014 Terrace, Ter Inter Tie	\$15.73
	58366	144077947	3/9/16	#1000515696, 1627 Terrace, N Zone Tank	\$18.13
	58366	160314907	3/9/16	Various Locations, Lighting	\$3,850.11
	58366	111072518	3/9/16	Various Locations, Lighting	\$50.90
	58366	160314909	3/9/16	Various Locations, Lighting	\$262.54
	58366	114384762	3/9/16	#1000370579, 1301 Ave D, Lighting	\$20.65
	58366	127645976	3/9/16	Various Locations, Street Lighting	\$11.00
	58366	166794517	3/9/16	#1000368128, 700 Ave D, Lighting	\$29.20
	58366	153918197	3/9/16	#1000578758, 1501 Ave D, Lighting	\$79.19
	58366	144083912	3/9/16	Various Locations, Lighting	\$984.27
	58366	140766563	3/9/16	Various Locations, Lighting	\$99.09
	58366	140766537	3/9/16	#1000483278, 1001 Ave D, Lighting	\$65.41
	58366	140763227	3/9/16	1330 Ferguson Park, Lighting	\$8.85
	58366	137459014	3/9/16	#1000380098, 1109 13th St, Lighting	\$19.72
	58366	127645977	3/9/16	Various Locations, Lighting	\$41.59
	58366	157111502	3/9/16	Various Locations, Lighting	\$30.10
	58366	111065080	3/9/16	#1000230125, 219 13th, S Zone Res	\$88.71
	58366	137453117	3/9/16	#1000528484, 2330 Baird Ave, L/S	\$33.02
	58366	137457028	3/9/16	#1000385243, 1329 Bonneville, L/S	\$21.10
	58366	134243528	3/9/16	#1000275828, 1110 Ferguson, Ferg Park	\$94.83
	58366	163522005	3/9/16	#1000417350, 1930 Stone Ridge, L/S	\$32.92
	58366	117702206	3/9/16	#1000463019, 1801 Lakemount, Casino	\$148.72
	58366	140764272	3/9/16	#1000575906, 400 Rainbow Pl, L/S	\$119.96
	58366	144082588	3/9/16	#1000508263, 24021 24th, WTP-dam	\$32.71
	58366	157111218	3/9/16	#1000272824, 24022 24th, WTP House	\$654.88
				Check Total	<b>\$10,564.92</b>
<b>Snohomish County Sheriff's Office</b>					
	58367	I000405509	3/9/16	Law Enforcement Services February 2016	\$10,854.11
	58367	I000405509	3/9/16	Law Enforcement Services February 2016	\$180,427.53
	58367	I000405509	3/9/16	Law Enforcement Services February 2016	\$33,807.61
				Check Total	<b>\$225,089.25</b>
<b>Snohomish County Corrections</b>					
	58368	2016-3031	3/9/16	Jail Service Fees Jan 2016	\$10,983.33
				Check Total	<b>\$10,983.33</b>
<b>Shred-It USA, Inc</b>					
	58369	9409564878	3/9/16	Document Destruction Fees Feb 2016	\$76.48
				Check Total	<b>\$76.48</b>
<b>Skagit Valley College</b>					
	58370	38826	3/9/16	Class tuition - Dawn Reilly	\$833.00
				Check Total	<b>\$833.00</b>

**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>Snohomish Auto Parts</b>					
	58371	439976	3/9/16	oil filter EP-180	\$16.67
	58371	440062	3/9/16	wiper blades	\$21.74
	58371	440246	3/9/16	filter return	\$-52.96
	58371	440561	3/9/16	cam tool	\$51.08
	58371	441268	3/9/16	oil dry	\$17.52
	58371	441218	3/9/16	filters-EP 224	\$181.08
	58371	441341	3/9/16	switch-EP224	\$16.47
	58371	441649	3/9/16	filters EP124	\$220.74
	58371	441733	3/9/16	filter-EP124	\$11.92
	58371	441894	3/9/16	filter ex, wiper blades, tow strap EP124	\$-62.77
	58371	442072	3/9/16	fan belt-EP178	\$16.74
	58371	442337	3/9/16	joint pliers	\$51.97
	58371	442951	3/9/16	booster cable EP123	\$96.28
	58371	443018	3/9/16	starter EP44	\$153.93
				Check Total	<b>\$740.41</b>
<b>Snopac</b>					
	58372	8096	3/9/16	Dispatch Services	\$11,723.71
				Check Total	<b>\$11,723.71</b>
<b>Snohomish Senior Center</b>					
	58373	16-468	3/9/16	Monthly Fee	\$1,000.00
				Check Total	<b>\$1,000.00</b>
<b>Sound Safety Products Co.</b>					
	58374	46757/1	3/9/16	safety boots, jeans-M. Johnson	\$256.02
	58374	41583/1	3/9/16	uniforms-Karschney	\$411.41
	58374	43233/1	3/9/16	uniform jacket-Karschney	\$68.27
	58374	43233/1	3/9/16	safety boots-Karschney	\$169.59
				Check Total	<b>\$905.29</b>
<b>Speedway Chevrolet</b>					
	58375	98643	3/9/16	EP-8 Repairs	\$94.51
				Check Total	<b>\$94.51</b>
<b>Staples Advantage</b>					
	58376	3294673915	3/9/16	office supplies	\$15.16
				Check Total	<b>\$15.16</b>
<b>Terminix</b>					
	58377	351938157	3/9/16	pest control	\$94.48
				Check Total	<b>\$94.48</b>
<b>Unum Life Insurance</b>					
	58378	220603027-3/16	3/9/16	retiree life insurance - March 2016	\$130.50
				Check Total	<b>\$130.50</b>
<b>UPS Store</b>					
	58379	75633	3/9/16	safety video postage	\$9.49
				Check Total	<b>\$9.49</b>
<b>Usa Bluebook Inc</b>					
	58380	872511	3/9/16	Masks for SCBA	\$554.56
				Check Total	<b>\$554.56</b>

**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>US Bank CPS</b>					
	58381	0176946-IN	3/9/16	Structured Comm Syst: Maint renewal	\$6,860.27
	58381	89592395	3/9/16	ACCIS Membership - Dock	\$75.00
	58381	1038066863	3/9/16	B&H Photo: Microphone Equip and Cables	\$65.96
	58381	654538	3/9/16	Phone jack couplers for conf room	\$14.87
	58381	BES-5732	3/9/16	Power/data module for conf room	\$376.27
	58381	660791	3/9/16	Starbucks: Chief/Sheriff's Meeting	\$32.53
	58381	physbuse	3/9/16	cdl physical-Buse	\$155.00
	58381	waterregs	3/9/16	Water regs class-Jackson	\$70.00
	58381	waterregs	3/9/16	Water regs class-Ray	\$70.00
	58381	waterregs	3/9/16	Water regs class-Palmer	\$70.00
	58381	uniformallen	3/9/16	uniform pants-Allen	\$76.14
	58381	uniformallenjc	3/9/16	uniform pants-Allen	\$27.19
	58381	126542	3/9/16	flat alum	\$7.52
	58381	221481	3/9/16	aed pad replacements	\$69.99
	58381	52134	3/9/16	air hose	\$13.01
	58381	52209	3/9/16	air hose	\$13.01
	58381	52216	3/9/16	adsp/is cartridge EP124	\$38.12
	58381	60251	3/9/16	engine heater	\$156.00
	58381	80233	3/9/16	drive socket hex bit	\$50.97
	58381	82645	3/9/16	laptop backpack	\$31.11
	58381	55	3/9/16	Duplication fees Public Records Requests	\$15.23
	58381	58	3/9/16	Duplication fees Public Records Requests	\$9.79
	58381	59	3/9/16	Duplication fees Public Records Requests	\$23.94
	58381	66	3/9/16	Duplication fees Public Records Requests	\$2.18
	58381	PNWSBW	3/9/16	basic waterworks class-Jackson	\$68.00
	58381	11454	3/9/16	e spot upgrade kits	\$133.47
	58381	02172016	3/9/16	AWWA 2016 Water Regulations Workshop	\$70.00
				Check Total	<b>\$8,595.57</b>
<b>U.S. Bank N.A - Custody</b>					
	58382	February 2016	3/9/16	Monthly Maintenance Fee	\$26.00
				Check Total	<b>\$26.00</b>
<b>U.S. Postmaster</b>					
	58383	021216-021816	3/9/16	City Manager Postage	\$1.94
	58383	021216-021816	3/9/16	Clerk Postage	\$114.68
	58383	021216-021816	3/9/16	Finance Postage	\$32.50
	58383	021216-021816	3/9/16	Police Postage	\$2.91
	58383	021216-021816	3/9/16	Planning Postage	\$28.47
	58383	021216-021816	3/9/16	Sewer Postage	\$4.16
	58383	021916-022516	3/9/16	City Manager Postage	\$0.97
	58383	021916-022516	3/9/16	Clerk Postage	\$28.21
	58383	021916-022516	3/9/16	Finance Postage	\$10.19
	58383	021916-022516	3/9/16	Police Postage	\$2.91
	58383	021916-022516	3/9/16	Planning Postage	\$2.43
	58383	022615-030316	3/9/16	Council Postage	\$3.50
	58383	022615-030316	3/9/16	City Manager Postage	\$0.97
	58383	022615-030316	3/9/16	Clerk Postage	\$20.56
	58383	022615-030316	3/9/16	Finance Postage	\$36.77
	58383	022615-030316	3/9/16	Police Postage	\$3.80
	58383	022615-030316	3/9/16	Planning Postage	\$16.37
	58383	022615-030316	3/9/16	Engineering Postage	\$23.28
	58383	022615-030316	3/9/16	Water Postage	\$144.26
	58383	022615-030316	3/9/16	Sewer Postage	\$135.80
				Check Total	<b>\$614.68</b>

**CONSENT ITEM 9a*****Schedule of Checks for the Checks Issued Since the March 1, 2016 Meeting***

<i>Name</i>	<i>Check #</i>	<i>Invoice #</i>	<i>Check Date</i>	<i>Description</i>	<i>Amount</i>
<b>Valley Truck Repair, Inc</b>					
	58384	1810	3/9/16	cone racks for trucks	\$522.23
	58384	1810	3/9/16	cone racks for trucks	\$261.12
	58384	1810	3/9/16	cone racks for trucks	\$261.12
				Check Total	<b>\$1,044.47</b>
<b>Weed, Graafstra &amp; Associates, Inc. P.S.</b>					
	58385	182	3/9/16	Legal Fees - Litigation	\$1,862.25
	58385	205	3/9/16	Legal Fees	\$722.00
	58385	205	3/9/16	Legal Fees	\$522.75
	58385	205	3/9/16	Legal Fees	\$35.00
	58385	205	3/9/16	Legal Fees	\$150.75
	58385	205	3/9/16	Legal Fees	\$323.75
	58385	205	3/9/16	Legal Fees	\$11,703.75
				Check Total	<b>\$15,320.25</b>
<b>Whistle Workwear</b>					
	58386	TR282291	3/9/16	partial uniforms-Morse	\$194.54
	58386	TR282290	3/9/16	safety boots, grease-Morse	\$189.66
	58386	TR282287	3/9/16	safety boots, grease, pant uniforms-Utt	\$385.18
				Check Total	<b>\$769.38</b>
<b>Washington State Dept of Ecology</b>					
	58387	2016-ba0029548	3/9/16	biosolids permit	\$1,033.79
				Check Total	<b>\$1,033.79</b>
<b>Washington State Employment Security Department</b>					
	58388	1st Qtr 2016	3/9/16	UI Tax	\$6,542.94
				Check Total	<b>\$6,542.94</b>
<b>Washington State Patrol</b>					
	58389	I16005423	3/9/16	Fingerprint Background fees Jan 2016	\$250.75
				Check Total	<b>\$250.75</b>
<b>Xerox Corporation</b>					
	58390	083657815	3/9/16	#WTM-003709, 012116-022116	\$16.34
	58390	083657813	3/9/16	#MX4-332344, 012116-022116	\$475.56
	58390	083657814	3/9/16	#XL1-395908, 012116-022116	\$30.97
				Check Total	<b>\$522.87</b>
				Batch Total	<b>\$543,952.03</b>
				Total All Checks	<b>\$543,952.03</b>

I hereby certify that the goods and services charged on the vouchers listed below have been furnished to the best of my knowledge. I further certify that the claims below to be valid and correct.

\_\_\_\_\_  
City Treasurer

WE, the undersigned council members of the City of Snohomish, Washington, do hereby certify that the claim warrants #58322 through #58390 in the total of \$543,952.03 through March 9, 2016 are approved for payment on March 15, 2016.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember



**CONSENT ITEM 9b**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Debbie Emge, Economic Development Manager  
**Subject:** **2016 Sky Valley Motorcycle Show Special Events Permit**

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The Sky Valley Chapter of Washington ABATE (an acronym alternately standing for American Bikers Aimed Toward Education or A Brotherhood Against Totalitarian Enactments) has applied for a Special Event Permit for the 2016 Sky Valley Motorcycle Show. The event is proposed for Sunday, May 15, 2016 from 7:00 a.m. to 6:00 p.m.

ABATE has estimated attendance for the 2016 show at 10,000 attendees. Based on the estimated attendance and past performance of this event, Chief Flood has determined that the required police support for the show will be 74 hours of service at a cost of \$3,976.72. Chief Flood will be responsible for scheduling the contracted officers to assure appropriate staffing of the event. Chief Flood has requested that the City of Snohomish invoice ABATE for security services and the City will then pay the Snohomish County Deputy Sherriff's Association. The number of service hours required has been discussed and meets the approval of the event organizers.

**STRATEGIC PLAN REFERENCE:** Initiative #7B: Work with community and business partners to enhance and expand signature events in the area.

**RECOMMENDATION:** That the City Council **AUTHORIZE** the City Manager to approve the proposed Special Event Permit Contract for the ABATE May 15, 2016 Sky Valley Motorcycle Show.

**ATTACHMENT:** Proposed ABATE 2016 Special Event Permit Contract



# **CITY OF SNOHOMISH**

*Founded 1859, Incorporated 1890*

116 UNION AVENUE □ SNOHOMISH, WASHINGTON 98290 □ TEL (360) 568-3115 FAX (360) 568-1375

**SPECIAL EVENT PERMIT AND CONTRACT  
BETWEEN CITY OF SNOHOMISH, WASHINGTON  
AND  
SKY VALLEY CHAPTER, ABATE OF WASHINGTON  
May 15, 2016**

The following is an agreement between the City of Snohomish (herein referred to as the “City”), and ABATE of Washington Sky Valley Chapter (herein after called “ABATE”) permitting the Sky Valley Motorcycle Show Special Event in the City of Snohomish.

**WHEREAS**, the City finds that the application for special event and compliance with this contract meets the requirements of City code, including but not limited to SMC Chapter 5.10 relating to Special Event permits; and

**WHEREAS**, ABATE has operated this event for sixteen years in the past and proposes to do so again on May 15, 2016; and

**WHEREAS**, the City Council finds that the Sky Valley Motorcycle Show provides benefits to the City including economic development, a recreational resource to the citizens, and promotes tourism to the community; and

**WHEREAS**, the City Council finds that the considerations the City provides are adequately recompensed by the promises of ABATE and the public benefit to be derived from this agreement;

**NOW, THEREFORE,**

**1. Responsibilities of the City.**

**1.1. City Facilities**

(a) On Sunday, May 15, 2016 the following streets/facilities may be used by ABATE in compliance with the Special Event Footprint for the Historic Business District:

Avenue D is to remain unobstructed and shall not be closed  
First Street from Avenue D east to Maple Avenue (Cedar and First intersection to have attendant for ingress/egress of Cedar Avenue cul-de-sac residents; Maple and First intersection to remain open throughout event)  
Cedar Avenue from First Street to Pearl Street (intersections remain open)

**CONSENT ITEM 9b**

Glen Avenue, south from east parking lot entrance only (south from Second Street with letter of approval from Central Christian Church)  
Pearl Street between Maple Avenue and Cedar Avenue (intersections remain open), and between Glen Avenue and the parking lot entrance to the Central Christian Church only (this required opening of Pearl to the Central Christian Church parking lot may be modified by the City with a letter from the Church specifying approval of street closure)  
Union Avenue, south from the exit (southern) driveway of City Hall to First Street only  
Avenue A, south from Second Street only  
Avenue B, south from Second Street only  
Avenue C, south from Second Street only  
See also Special Event footprint map attached as **Attachment A**

(b) Parking lot entrance and exit of City Hall, 116 Union Avenue, shall remain open at all times, and will be available for event parking except for those parking stalls reserved for the day of event for use as Police and City employee parking.

(c) Unless indicated otherwise, the use of all streets listed above will be available to ABATE from *curb to curb* to be used for motorcycle parking and/or vendor booths only within the road closure area. Motorcycle parking, vendor booths, or other obstructions on Avenues A, B, C, and Union shall be allowed only against curbs of streets, and center of streets shall remain open for access by emergency vehicles. The use of the sidewalk shall continue to be used by the City and general public as follows: pedestrian and business access and egress to all storefronts and residences.

1.2 All use and configuration of structures, booths, and other permanent or temporary facilities used in the event shall be limited to scope of right-of-way as permitted and inspected and reviewed by the Building/Fire Official/Public Works Director or designee. Prior to the event, the parties agree to determine that the facilities in use comply with the provisions of State and local law, as well as to ensure that no lasting or permanent damage shall be done to any public facility or property. All private and public property utilized for the event shall be inspected. The inspectors shall note all potential problems. Prior to the opening of the event, ABATE shall correct all problems or shall remove facilities if they fail to meet requirements. *Special event inspection fee is \$50 per hour for Building/Fire Official, as set by resolution.*

The City in accordance with lawful authority under statute or ordinance may use its discretion to cancel such event or to prohibit the attendance of the general public in certain areas if anything that threatens life, health, or property shall appear.

1.3 Additional/other responsibilities of the City, paid for by ABATE.

(a) Portable stages inspection at Union Avenue south of the southern exit of City Hall and at the southeast corner of intersection of Union Avenue and First Street

## **CONSENT ITEM 9b**

- (b) Police supervision
- (c) Water hookups + hydrant hose bibs
- (d) Electrical power sources – Inspections of extension cords or temporary power sources or portable fuel tanks
- (e) Grease traps – filters for storm drains
- (f) Inspections for health/safety or miscellaneous code issues

1.4 Additional/other facilities of the City to be used by ABATE. ABATE shall have use of the Carnegie Building parking lot at 105 Cedar Avenue as additional general parking for motorcycles and shall provide a monitor to manage and control such parking.

### **2. ABATE Responsibilities.**

2.1 ABATE shall provide a Certificate of Insurance and Endorsement no later than Friday, May 1, 2015 evidencing commercial general liability insurance written on an occurrence basis with limits no less than \$1,000,000 combined single limit per occurrence and \$2,000,000 aggregate for personal injury, bodily injury, and property damage. The City shall be named as an additional insured on the Commercial General Liability insurance policy and a copy of the endorsement naming the City as additional insured shall be attached to the Certificate of Insurance. The insurance policy shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insurer's liability. The insurance shall be primary insurance as respects the City. In the event that ABATE receives notice (written, electronic, or otherwise) that any of the above required insurance coverage is being cancelled and/or terminated, ABATE shall immediately (within forty-eight (48) hours) provide written notification of such cancellation/termination to the City.

2.2 ABATE shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any claims injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the performance of this agreement, including actions or inactions of persons participating or providing services in the event or from spectators, citizens, and other persons attending the events, except for injuries and damages caused by the sole negligence of the City.

2.3 Neither ABATE, nor any officer, agent, or employees of ABATE, shall discriminate in the provision of service under this contract against any individual, partnership, or corporation based upon race, religion, sex, creed, place of origin, or any other form of discrimination prohibited by federal, state, or local law.

#### **2.4 Hours**

- (a) Set up hours begin at 3:01 a.m. on Avenue A cul-de-sac and Glen Avenue. All other areas begin at 6 a.m.
- (b) General hours of event operation are Sunday, May 16, 2016 from 7:00 a.m. to 6:00 p.m.

## **CONSENT ITEM 9b**

(c) Tear-down of booths and streets re-opened at 5 p.m., with cul-de-sac and off street locations by 6 p.m.

### **2.5 Security**

(a) ABATE shall provide any and all security services necessary during the hours that the event is not in operation sufficient to reasonably secure the area and facilities provided.

(b) The City shall have no responsibility or liability for the provision of security services nor shall it be liable for any loss or damaged incurred by ABATE or participants in this event.

(c) Security personnel will be clearly identifiable with shirts marked with “staff” logo.

### **2.6 Fire**

ABATE shall provide fire watch for all times in and around the booths and displays open to the general public as part of this event. ABATE shall self enforce fire watch. All food vendors will have 40:B:C fire extinguishers in their booths. A copy of the *Fire and Life Safety Requirements* has been provided to ABATE, who will provide a copy to each vendor.

initial

### **2.7 Portable Toilets**

ABATE shall provide sufficient portable toilets. **Three (3) portable toilets and one (1) handwash station** will be discretely placed at both Avenue A cul-de-sac and the corner of First Street and Union Avenue, and remain there for the length of the event. Portable toilets and handwash stations will be scheduled for pick-up within 24 hours after the event.

### **2.8 Utility Services**

#### **(a) Garbage Service**

Garbage service of a 4 cubic yard dumpster from Allied Waste shall be contracted and paid for by ABATE. All temporary containers must be removed from the Special Event area within 24 hours after the last day of the event. The applicant shall ensure all solid waste containers are placed on property approved for such containers by the City and the property owner. The applicant shall provide immediate clean up of any spilled containers upon notice from the City, the applicant’s event staff, abutting property, or local business owners.

#### **(b) Water**

ABATE may request use of water hookups for use of (food) vendors on hose bibs on hydrants located at the Avenue A cul-de-sac and near the Marks Building parking lot. ABATE will assure that all washing occurs at washstands. Hydrant Use Fee is set at \$50 for the day of event.

#### **(c) Power/Electricity**

ABATE may request use of power/electricity by connection to power utility poles. Prior to connection, ABATE must provide City with proof of



## **CONSENT ITEM 9b**

permission from Snohomish County PUD. All Washington State Electrical Permits and Inspections will be arranged for prior to event. ABATE will pay power pole electrical connection fee of \$20 for small events with less than ten service connections, plus daily charge of \$5 for power usage; or permit fee of \$30 for larger events with ten or more service connections, plus daily charge of \$25 for power usage, as set forth by resolution.

ABATE may request use of power outlets on exterior south side wall of City Hall at rate of \$30 per day and \$25 for power usage.

(d) Sanitary Sewer

ABATE may request use of sanitary sewer located at the Avenue A cul-de-sac for disposal of wastewater generated by vendors. Portable grease traps shall be located on the site for use by food vendors in accordance with City's wastewater disposal policy. Grease traps or rendering barrels shall be provided by ABATE. Storm drains are to be covered with filter fabric to capture grease and debris. ABATE will provide filters for all storm drains and will assure that all washing occurs at washstands.

*Hydrant Use Fee is set at \$50 for the first day.*

2.9 Clean up

Upon the completion of the event, ABATE shall make adequate provisions for the cleanup and restoration of all sites rented or provided under the terms of this agreement.

(a) Promotional sign/material removal

(b) Street Sweeping – regularly scheduled street cleaning for Monday morning will be adequate. Sidewalks shall be swept so that debris is in the street prior to Monday morning.

A final inspection of the event areas shall be conducted by City staff to determine if areas are clean and returned to their original condition.

2.10 Permit Fees

ABATE shall pay to the City all permit fees for the above and shall reimburse the City for actual costs of supplies or services furnished by the City within thirty (30) days of mailing of a final bill by the City estimated to be \$55 (electrical connections).

2.11 Signage – Permits and Approval

ABATE shall be responsible for placement of all signage for the event and any sign permit fees. Said signage shall comply with the City's sign regulations and must be approved by the City.

2.12 Police Services

ABATE shall pay the City of Snohomish for seventy four (74 ) hours of police service for the event at a cost of \$3,976.72. The City of Snohomish will then contract with

## **CONSENT ITEM 9b**

the Snohomish County Deputy Sheriff's Association for police service. The hours will be scheduled at the discretion of the City's Chief of Police.

### **2.13 Inspections**

ABATE shall pay all costs and expenses related to utilities, electric power, services provided by the Fire District, and necessary inspections estimated to be \$300 (3 hours each for Building Official and Fire District).

### **2.14 Traffic Control**

(a) Prior to final approval of this agreement, a Traffic Control Plan shall be submitted to and approved by the City. The Plan shall include the use of barricades and barricade attendants. Traffic Plan to include copy of instructions provided to barricade attendants/flaggers. 20' emergency vehicle access to be maintained at all times.

(b) Plan to adhere to MUTCD guidelines and include 72 hour posting of street closures. ABATE to provide all barricades, traffic revision signage (as shown in **Attachment B**), and contract flaggers as needed.

(c) ABATE will take care of clearing of First Street in preparation for the show and all related towing of vehicles will be handled by ABATE.

(d) ABATE members will not stop traffic to allow motorcycles to leave the event area. Vehicles leaving the event are to make right turns only into traffic.

(e) Flaggers are to be posted at all intersection barricades for the entire time of street closure. Each traffic intersection attendant is to have radio contact. Flaggers are to wear safety vests.

(f) ABATE is authorized to control the event parking for traffic control, event staging, and configuration per the plan set forth above. Where appropriate, ABATE shall clearly post temporary parking restriction/no-parking signs applicable for the Event. Where appropriate, ABATE is authorized and responsible to arrange for the towing of vehicles violating the posted Event parking restrictions. ABATE may use the tow company of their own choosing for Event towing purposes. ABATE shall use a towing form approved by the City. ABATE shall be responsible for all towing appeals made by the Event Sponsor. In addition to other Indemnifications in 2.2 of this agreement/permit ABATE hereby agrees to indemnify, defend, and hold the City harmless for all costs and damages related to ABATE tows.

### **2.15 Licensing**

ABATE will ensure that all food booths/vendors have the necessary City, county, health, and state permits required for handling food or sales, including but not limited to Health District food handling permits, business license, and state UBI number. ABATE will also

**CONSENT ITEM 9b**

make vendors aware of the City's sales tax code 3115 for proper credit to the City for any sales tax paid to the state. Special Event business license applications are due to the City Clerk Office no later than Monday, May 2, 2016, to be brought in by ABATE and paid with one check. Special Event business licenses should be picked up by ABATE at City Hall no later than 5 p.m., Friday, May 13, 2016. Business licenses are to be posted by 8 a.m. on day of event to facilitate inspection process. Vendors without necessary permits will not be allowed to operate.

2.16 Schedule of Events

ABATE will submit prior to final authorization of this agreement a schedule of all planned events for proper coordination of City support resources. Any events occurring that are not listed on the schedule may be closed down or removed by the City, and may be cause for denial of any future special events requests by the applicants.

**3. Sole Agreement; Amendments to Agreement.**

This written agreement shall be and is the sole understanding of the parties. No prior oral or written representation shall alter the terms of this contract unless specifically incorporated by reference and attached hereto. All amendments to this contract shall be in writing signed by both parties and made prior to the date that they purport to be effective.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2016

CITY OF SNOHOMISH:

ABATE:

\_\_\_\_\_  
Larry Bauman, City Manager

\_\_\_\_\_  
By: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

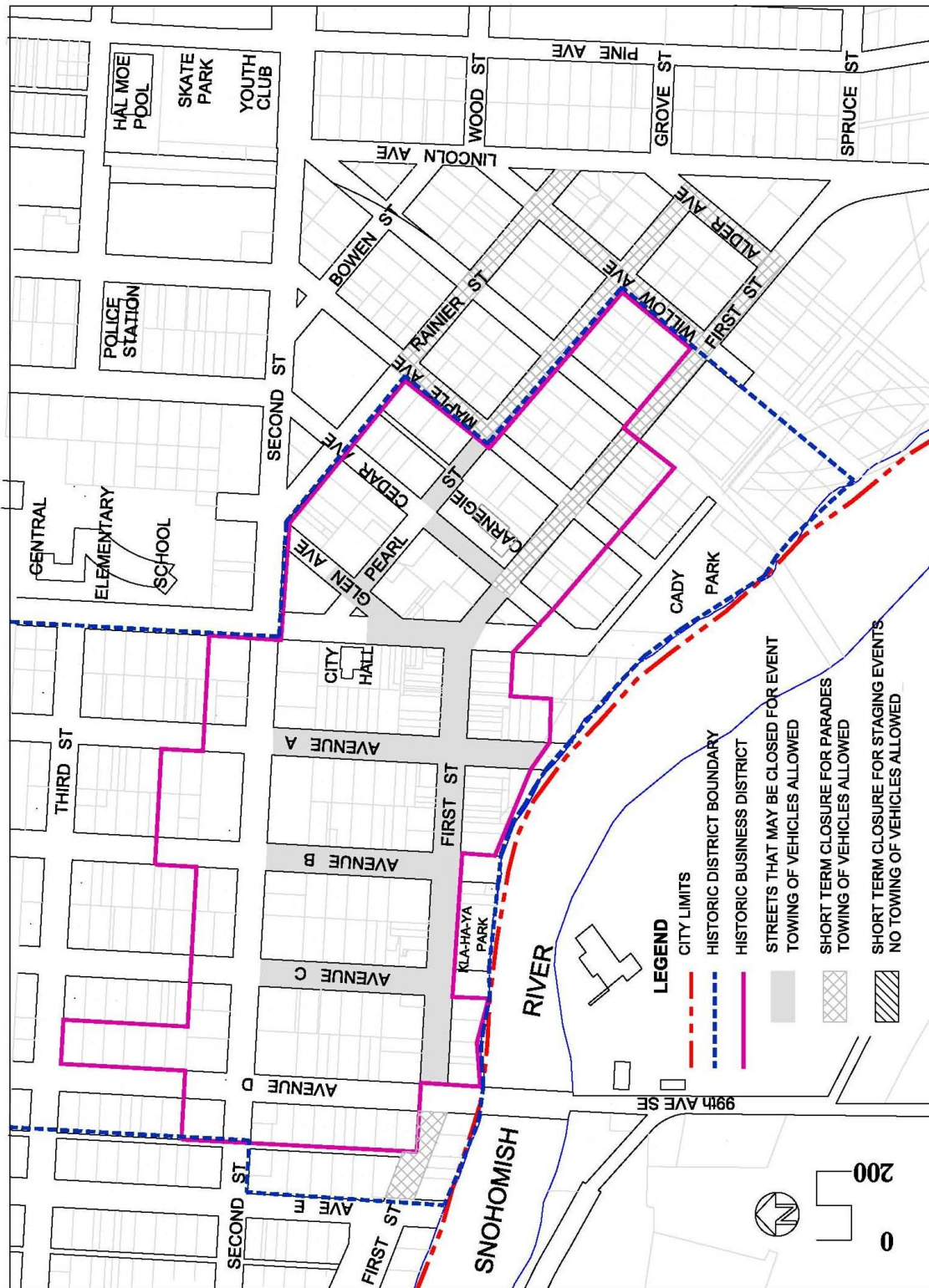
Attest/Authenticated:

\_\_\_\_\_  
Pat Adams, City Clerk

Approve As To Form:

\_\_\_\_\_  
Grant K. Weed, City Attorney

ATTACHMENT A



**SPECIAL EVENTS FOOTPRINT FOR HISTORIC BUSINESS DISTRICT**

# **Notice of Scheduled No Parking Restriction**

**Starting:**

---

**Ending:**

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**Vehicles Parked in Violation During  
Scheduled Parking Restriction Will Be Towed  
~ Company Name and Phone Number Go Here ~**



## **CONSENT ITEM 9c**

**Date:** March 15, 2016

**To:** City Council

**From:** Max Selin, Senior Utilities Engineer

**Subject:** **Authorize the City Manager to Execute a Professional Services Agreement with Gray & Osborne Inc., for Design of On-Line Wastewater Collections Maintenance Management Mobile Application – Phase II**

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This professional services agreement is for Phase II of the engineering design services to construct a GIS based on-line wastewater collections maintenance management mobile application (APP) for the wastewater collections department. The City Council authorized the execution of the professional services agreement with Gray & Osborne Inc. for Phase I of this task on September 1, 2015.

### **BACKGROUND:**

The Public Works Wastewater Collections Department (Dept.) is working with Gray & Osborne, Inc., to create a phased web based APP that interfaces with the City's existing Geographic Information System (GIS). This APP is similar to the City's existing Stormwater Collections, Wastewater Lift Station and in-progress Water Distribution maintenance APPs also developed by Gray & Osborne, Inc.

The APP will provide a system for wastewater collections maintenance data to be input directly to the Dept.'s existing cellular enabled field tablet mobile device. This will allow the Dept. to increase efficiency, productivity and better prioritize and track needed maintenance throughout the City's wastewater collection system. The APP also provides a system of current and historical maintenance records of the wastewater collection system, tracks maintenance activities and provides on-demand reporting for internal use and external agency reporting.

### **SCOPE OF WORK:**

Phase I of this multi-phased project was completed in 2015. Phase I expanded upon the existing GIS based wastewater map using the City's existing wastewater map based in AutoCAD format. The GIS geo-database was also expanded by using historical mapping and newer development mapping to include pipe diameter, slope, length of pipe, inverts, and included a unique pipe segment and manhole numbering system.

Phase II will utilize the mapping and infrastructure identification work completed in Phase I to develop and create the APP to include inspection and maintenance activities and reports for sanitary sewer manholes, sewer mains, cleanouts and other sewer infrastructure.

## **CONSENT ITEM 9c**

### **BUDGET:**

This scope of services for the design phase of this project is estimated at \$20,046 as shown in Exhibit B and will be funded half from the Repairs and Maintenance fund 402-140-535-80-48-00 and half from the Professional Services fund 402-140-535-80-41-10 within the 2016 wastewater collections approved budget.

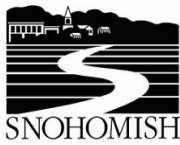
**STRATEGIC PLAN REFERENCE:** Initiative #5: Become more environmentally sustainable

**RECOMMENDATION:** That the City Council **AUTHORIZE** the City Manager to execute a Professional Service Agreement with Gray & Osborne, Inc., in the total amount not to exceed \$20,046 for Engineering Services to design and construct a GIS based wastewater collection systems mapping Phase II for the creation of an on-line wastewater collections maintenance management mobile application.

### **ATTACHMENTS:**

- A. Professional Service Agreement
- B. Exhibit A - Scope of Work
- C. Exhibit B - Fee Schedule

ATTACHMENT A



# CITY OF SNOHOMISH

*Founded 1859, Incorporated 1890*

116 UNION AVENUE □ SNOHOMISH, WASHINGTON 98290 □ TEL (360) 568-3115 FAX (360) 568-1375

## **PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF SNOHOMISH AND GRAY & OSBORNE, INC FOR CONSULTANT SERVICES**

**THIS AGREEMENT** ("Agreement") is made and entered into by and between the City of Snohomish, a Washington State municipal corporation ("City"), and Gray & Osborne, Inc., ("Consultant") a Washington corporation licensed to do business in Washington State.

**NOW, THEREFORE**, in consideration of the terms, conditions, covenants and performances contained herein, the parties hereto agree as follows:

### **ARTICLE I. PURPOSE**

The purpose of this Agreement is to provide the City with consultant services regarding Engineering Services for the creation of the water maintenance system GIS mapping application as described in Article II. The general terms and conditions of the relationship between the City and the Consultant are specified in this Agreement.

### **ARTICLE II. SCOPE OF SERVICES**

The Scope of Services is attached hereto as **Exhibit "A"** and incorporated herein by this reference ("Scope of Services"). All services and materials necessary to accomplish the tasks outlined in the Scope of Services shall be provided by the Consultant unless noted otherwise in the Scope of Services or this Agreement. All such services shall be provided in accordance with the standards of the Consultant's profession.

### **ARTICLE III. OBLIGATIONS OF THE CONSULTANT**

**III.1 MINOR CHANGES IN SCOPE.** The Consultant shall accept minor changes, amendments, or revision in the detail of the Scope of Services as may be required by the City when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

**Extra Work.** The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the Scope of Services in the scope of services. Such work will be

## **CONSENT ITEM 9c**

considered as extra work and will be specified in a written supplement to the scope of services, to be signed by both parties, which will set forth the nature and the scope thereof. All proposals for extra work or services shall be prepared by the Consultant at no cost to the City. Work under a supplemental agreement shall not proceed until executed in writing by the parties.

**III.2 WORK PRODUCT AND DOCUMENTS.** The work product and all documents produced under this Agreement shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this Agreement or in the event that this Agreement shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work as of the date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this Agreement. The summary of work done shall be prepared at no additional cost to the City.

Consultant will not be held liable for reuse of documents produced under this Agreement or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

**III.3 TERM.** The term of this Agreement shall commence on upon signing of both the scope of services and this agreement and shall complete the work no later than December 31, 2016. The parties may extend the term of this Agreement by written mutual agreement.

**III.4 NONASSIGNABLE.** The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

### **III.5 EMPLOYMENT.**

a. The term “employee” or “employees” as used herein shall mean any officers, agents, or employee of the of the Consultant.

b. Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

c. Consultant represents, unless otherwise indicated below, that all employees of Consultant that will provide any of the work under this Agreement have not ever been retired from a Washington State retirement system, including but not limited to

### **CONSENT ITEM 9c**

Teacher (TRS), School District (SERS), Public Employee (PERS), Public Safety (PSERS), law enforcement and fire fighters (LEOFF), Washington State Patrol (WSPRS), Judicial Retirement System (JRS), or otherwise. *(Please indicate No or Yes below)*

\_\_\_\_\_ No employees supplying work have ever been retired from a Washington state retirement system.

\_\_\_\_\_ Yes employees supplying work have been retired from a Washington state retirement system.

In the event the Consultant indicates “no”, but an employee in fact was a retiree of a Washington State retirement system, and because of the misrepresentation the City is required to defend a claim by the Washington State retirement system, or to make contributions for or on account of the employee, or reimbursement to the Washington State retirement system for benefits paid, Consultant hereby agrees to save, indemnify, defend and hold City harmless from and against all expenses and costs, including reasonable attorney’s fees incurred in defending the claim of the Washington State retirement system and from all contributions paid or required to be paid, and for all reimbursement required to the Washington State retirement system. In the event Consultant affirms that an employee providing work has ever retired from a Washington State retirement system, said employee shall be identified by Consultant, and such retirees shall provide City with all information required by City to report the employment with Consultant to the Department of Retirement Services of the State of Washington.

### **III.6 INDEMNITY.**

a. **Indemnification / Hold Harmless.** Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

c. The provisions of this section shall survive the expiration or termination of this agreement.

d. For the purposes of the indemnity contained in subpart “A” of this paragraph 3.6, Consultant hereby knowing, intentionally, and voluntarily waives the immunity of the Industrial Insurance Act, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

\_\_\_\_\_(initials) \_\_\_\_\_(initials)



**III.7 INSURANCE.**

a. **Minimum Limits of Insurance.** The Consultant shall procure, and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work and services hereunder by the Consultant, its agents, representatives, employees or subcontractors. The Consultant shall, before commencing work under this agreement, file with the City certificates of insurance coverage and the policy endorsement to be kept in force continuously during this Agreement, in a form acceptable to the City. Said certificates and policy endorsement shall name the City, its officers, elected officials, agents and/or employees as an additional named insured with respect to all coverages except professional liability insurance and workers' compensation.

b. **Minimum Scope of Insurance - Consultant shall obtain insurance of the types described below:**

- (1). Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
- (2). Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.
- (3). Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- (4). Professional Liability insurance appropriate to the Consultant's profession.

c. **The minimum insurance limits shall be as follows:**

- (1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; \$2,000,000 general aggregate.
- (2) Automobile Liability. \$1,000,000 combined single limit per accident for bodily injury and property damage.
- (3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington.

**CONSENT ITEM 9c**

(4) Professional Liability/Consultant's Errors and Omissions Liability.  
\$1,000,000 per claim and \$1,000,000 as an annual aggregate.

d. **Notice of Cancellation.** In the event that the Consultant receives notice (written, electronic or otherwise) that any of the above required insurance coverage is being cancelled and/or terminated, the Consultant shall immediately (within forty-eight (48) hours) provide written notification of such cancellation/termination to the City.

e. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with a current A.M.Bests rating of no less than A:VII, or if not rated by Bests, with minimum surpluses the equivalent of Bests' VII rating.

f. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work. Further, throughout the term of this Agreement, the Consultant shall provide the City with proof of insurance upon request by the City.

g. **Insurance shall be Primary.** The Consultant's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

h. **No Limitation.** Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance or otherwise limit the recourse to any remedy available at law or in equity.

i. **Claims-made Basis.** Unless approved by the City all insurance policies shall be written on an "Occurrence" policy as opposed to a "Claims-made" policy. The City may require an extended reporting endorsement on any approved "Claims-made" policy.

j. **Failure to Maintain Insurance** Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

**III.8 DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.** The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this Agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

**III.9 UNFAIR EMPLOYMENT PRACTICES.** During the performance of this Agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

**III.10 LEGAL RELATIONS.** The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this Agreement. The Consultant represents that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this Agreement are fully qualified and properly licensed to perform the work to which they will be assigned. This Agreement shall be interpreted and construed in accordance with the laws of Washington. Venue for any litigation commenced relating to this Agreement shall be in Snohomish County Superior Court.

**III.11 INDEPENDENT CONTRACTOR.**

a. The Consultant and the City understand and expressly agree that the Consultant is an independent contractor in the performance of each and every part of this Agreement. The Consultant expressly represents, warrants and agrees that his status as an independent contractor in the performance of the work and services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195 or as hereafter amended. The Consultant, as an independent contractor, assumes the entire responsibility for carrying out and accomplishing the services required under this Agreement. The Consultant shall make no claim of City employment nor shall claim any related employment benefits, social security, and/or retirement benefits.

b. The Consultant shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the Consultant shall pay the same before it becomes due.

## **CONSENT ITEM 9c**

c. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

d. Prior to commencement of work, the Consultant shall obtain a business license from the City.

**III.12 CONFLICTS OF INTEREST.** The Consultant agrees to and shall notify the City of any potential conflicts of interest in Consultant's client base and shall obtain written permission from the City prior to providing services to third parties where a conflict or potential conflict of interest is apparent. If the City determines in its sole discretion that a conflict is irreconcilable, the City reserves the right to terminate this Agreement.

**III.13 CITY CONFIDENCES.** The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

### **III.14 SUBCONTRACTORS/SUBCONSULTANTS.**

a. The Consultant shall is responsible for all work performed by Subcontractors/Subconsultants pursuant to the terms of this Agreement.

b. The Consultant must verify that any Subcontractors/Subconsultants they directly hire meet the responsibility criteria for the project. Verification that a subcontractor/sub consultant has proper license and bonding, if required by statute, must be included in the verification process. The Consultant will use the following Subcontractors/Subconsultants or as set forth in Exhibit N/A:

#### ***Not Applicable for this Agreement***

c. The Consultant may not substitute or add Subcontractors/Subconsultants without the written approval of the City.

d. All Subcontractors/Subconsultants shall have the same insurance coverages and limits as set forth in this Agreement and the Consultant shall provide verification of said insurance coverage.

**ARTICLE IV. OBLIGATIONS OF THE CITY**

**IV.1 PAYMENTS.**

a. The Consultant shall be paid by the City for services rendered under this Agreement as described in the Scope of Services and as provided in this section. In no event shall the compensation paid to Consultant under this Agreement exceed **\$20,046 (Twenty Thousand, Forty Six Dollars and No Cents)** without the written agreement of the Consultant and the City. Such payment shall be full compensation for work performed and services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. In the event the City elects to expand the scope of services from that set forth in Exhibit A, the City shall pay Consultant a mutually agreed amount.

b. The Consultant shall submit a monthly invoice to the City for services performed in the previous calendar month in a format acceptable to the Cities. The Consultant shall maintain time and expense records and provide them to the Cities upon request.

c. The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

**IV.2 CITY APPROVAL.** Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this Agreement must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the Scope of Services and City requirements.

**IV.3 MAINTENANCE/INSPECTION OF RECORDS.** The Consultant shall maintain all books, records, documents and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the Consultant shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy such books, accounts and records where necessary to conduct or document an audit. The Consultant shall preserve and make available all such books of account and records for a period of three (3) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the Consultant shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.



**CONSENT ITEM 9c**

**ARTICLE V. GENERAL**

V.1 **NOTICES.** Notices to the City shall be sent to the following address:

**CITY OF SNOHOMISH  
ATTN: MAX SELIN, PE  
116 UNION AVENUE  
SNOHOMISH, WA 98290**

Notices to the Consultant shall be sent to the following address:

**STACEY CLEAR, PE  
GRAY & OSBORNE, INC.  
3710 168TH ST NE # B210  
ARLINGTON, WA 98223**

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

V.2 **TERMINATION.** The right is reserved by the City to terminate this Agreement in whole or in part at any time upon ten (10) calendar days' written notice to the Consultant.

If this Agreement is terminated in its entirety by the City for its convenience, the City shall pay the Consultant for satisfactory services performed through the date of termination in accordance with payment provisions of Section VI.1.

V.3 **DISPUTES.** The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

V.4 **EXTENT OF AGREEMENT/MODIFICATION.** This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified or added to only by written instrument properly signed by both parties.

V.5 **SEVERABILITY**

a. If a court of competent jurisdiction holds any part, term or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

b. If any provision of this Agreement is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

**CONSENT ITEM 9c**

V.6 **NONWAIVER.** A waiver by either party hereto of a breach by the other party hereto of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any agreement, covenant or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.

V.7 **FAIR MEANING.** The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

V.8 **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

V.9 **VENUE.** The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Snohomish County, Washington.

V.10 **COUNTERPARTS.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

V.11 **AUTHORITY TO BIND PARTIES AND ENTER INTO AGREEMENT.** The undersigned represent that they have full authority to enter into this Agreement and to bind the parties for and on behalf of the legal entities set forth below.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF SNOHOMISH

GRAY & OSBORNE, INC.

By \_\_\_\_\_  
Larry Bauman, City Manager

By \_\_\_\_\_  
Mike Johnson, PE, President

Approved as to form:

Attest:

\_\_\_\_\_  
Grant K. Weed, City Attorney

\_\_\_\_\_  
Pat Adams, City Clerk

ATTACHMENT B

**EXHIBIT A**

**SCOPE OF WORK**

**CITY OF SNOHOMISH  
ONLINE SEWER MAINTENANCE MANAGEMENT  
MOBILE APPLICATION – PHASE 2**

Gray & Osborne, Inc. will assist the City of Snohomish with maintenance records of the existing sewer system by producing and supporting a web-based application (app) that interfaces with the City's existing GIS sewer geodatabase. The app will provide maintenance data input directly to a cellular-enabled tablet mobile device. The project will be conducted in two phases where the first phase entailed compilation of the base map and the second phase will entail development of the mobile application itself. The fee will be based upon the contract amount in Exhibit B attached and payable upon the completion of the tasks identified below.

**TASK 1 – ENHANCE CURRENT WEB-BASED MOBILE APPLICATION**

Gray & Osborne will expand upon the existing sanitary sewer lift station mobile app, which currently allows pump run time and generator related reports to be created for the lift stations. The current app will be modified to allow for inspection and maintenance reports on both sanitary sewer manholes and sewer mains. Gray & Osborne will work with City staff on the contents of these inspection and maintenance reports. It is intended that the sanitary sewer main reports will exist simply to provide a historical record of whether the pipe has been videoed, cleaned/jetted, repaired, or was inspected by the SL-RAT system. No visual representation of these actions (i.e., color changes to the pipes within GIS) is necessary for the pipes at this time. In addition, manhole inspection and maintenance reports will be created so as to allow the staff to change the color of a manhole to indicate the status as to how long it has been since it was last inspected (i.e., less than 6 months, between 6 months and a year, or over a year) as well as a symbol to represent that the manhole needs to be maintained.

Additional upgrades will be included in order to enhance the functionality of the app. These include providing topographical information, adding a search feature to easily find manholes by ID number, etc., as well as the addition of the Google Street View function.

**TASK 2 – TESTING MODULE**

Gray & Osborne will work with City staff to complete live field testing of the app and module in the City of Snohomish using the developed database. Revisions as necessary will be completed to assure a functioning system.

## **CONSENT ITEM 9c**

### **TASK 3 – TRAINING FOR APP**

Gray & Osborne will provide City staff up to 2 hours of training on the updated mobile application.

### **TASK 4 – FIRST YEAR WEB APPLICATION SERVER HOSTING, SUPPORT, AND BACKUP**

Gray & Osborne will provide server hosting, further customization beyond the initial prototype (if necessary), daily backup, and client support for 1 year following the successful launch of the mobile application.

**EXHIBIT B**

**ENGINEERING SERVICES  
SCOPE AND ESTIMATED COST**

*City of Snohomish - Online Sewer Maintenance Management Mobile Application Phase 2*

Tasks		Principal Hours	Project Manager Hours	AutoCAD/GIS Mgr./Graphic Artist Hours	AutoCAD/GIS Tech./Eng. Intern Hours	Labor Cost per Task
1	Enhance Current Web-Based Mobile Application	1	8	80	16	\$11,605
2	Testing Module		2	24	12	\$3,960
3	Training for App		2	2		\$470
4	First Year Server Hosting, Support, and Backup		2	32		\$3,920
Hour Estimate:		1	14	138	28	
Fully Burdened Billing Rate Range:*		\$112 to \$188	\$112 to \$188	\$92 to \$115	\$45 to \$85	
Estimated Fully Burdened Billing Rate:*		\$165	\$120	\$115	\$80	
Fully Burdened Labor Cost:		\$165	\$1,680	\$15,870	\$2,240	\$19,955

Total Fully Burdened Labor Cost:

\$ 19,955

Direct Non-Salary Cost:

Mileage & Expenses (mileage @ current IRS rate)

\$ 91

**TOTAL ESTIMATED COST:**

**\$ 20,046**

\* Actual labor cost will be based on each employee's actual rate. Estimated rates are for determining total estimated cost only. Fully burdened billing rates include direct salary cost, overhead, and profit.

**CONSENT ITEM 9c**



**CONSENT ITEM 9d**

**Date:** March 15, 2016  
**To:** City Council  
**From:** Mayor Karen Guzak  
**Subject:** **Appointment and Reappointments to the EDC**

---

This agenda item seeks Council confirmation of the appointment of Melissa Rossi and the reappointments of Mary Pat Connors, Jason Sanders, and Keith Stocker. The terms will expire April 1, 2018. EDC members serve two-year terms. Ms. Rossi's nomination was the result of interviews conducted by the Mayor with two finalists selected from the applicants drawn from the most recent recruitment. The applicants in addition to Ms. Rossi were Sherry Jennings, Jared Burns, Barry Galen, Martina Rose, Ed LaBelle, and Brian Starr.

**RECOMMENDATION: That the City Council CONFIRM the Mayor's appointment of Melissa Rossi and the reappointments of Mary Pat Connors, Jason Sanders, and Keith Stocker to the Economic Development Committee.**

**ATTACHMENTS:**

- A. Requests for reappointment
- B. Application from Melissa Rossi

**CONSENT ITEM 9d**

ATTACHMENT A

-----Original Message-----

From: Ray Cook [mailto:rcook@gilpinrealty.com]

Sent: Friday, February 26, 2016 10:04 AM

To: Debbie Emge

Subject: Re: Do you want to be reappointed to the Economic Development Committee

Debbie, yes I would like to be reappointed.

\*\*\*\*\*

**From:** Keith Stocker [mailto:keith@stockerfarms.com]

**Sent:** Friday, February 26, 2016 9:52 AM

**To:** Debbie Emge

**Subject:** Re: Do you want to be reappointed to the Economic Development Committee

If you'll have me I will serve.

Keith

\*\*\*\*\*

**From:** Sanders, Jason [mailto:jason.sanders@pse.com]

**Sent:** Friday, February 26, 2016 10:10 AM

**To:** Debbie Emge

**Subject:** RE: Do you want to be reappointed to the Economic Development Committee

Absolutely, thank you ☺

**Jason Sanders**

\*\*\*\*\*

## **CONSENT ITEM 9d**

### ATTACHMENT B

Application for which Board:*	Economic Development Committee		
Name:*	Melissa Rossi		
Address:*	431 Avenue F		
Home Phone:*	4258764381	Cell:	
Work #:		e-mail:*	melissa.rossi@outlook.com
City Resident:	<input checked="" type="checkbox"/> Yes	How long?	9 years
Please list any previous City appointments or offices: None			
Other Community affiliations or activities you feel would be a benefit to this position: We have been active supporters of the Boys and Girls Club, the Snohomish Education Foundation, and the Snohomish 8 District during our time in Snohomish. We are committed to shopping local, and support local events for the benefit of the City.			
Why are you interested in serving on this advisory board? As a city resident, I have a vested interest in economic improvement for the City of Snohomish. I have not previously served the City, and desire to become a more active proponent of our unique community.			
What talents or experience would you bring to the position? I have a background in small business development, having supported numerous startups and existing small businesses as a consultant. I also helped to found, and am today a partner, in two commercial construction companies based in Malibu. I serve as a C-level leader in my organization, growing it from a home-based business to a successful firm employing 15 people.			
What are your primary interests in City Government and City Services? My husband and I are raising three children in this community, and believe wholeheartedly that "it takes a village" to raise children. We have the resources and talent to make a positive impact within our City administration, for the benefit of our children and their families. Snohomish is a special place that only its residents can truly describe - it goes far beyond the boundaries of the city limits.			
Please relate any special goals you may have for the City: I am interested in economic development because I see it as a gateway for city-wide improvement. The experience of our residents and visitors alike creates an expectation. Snohomish has tremendous opportunity to draw from its resident knowledge and ambition to raise that expectation. I believe that any successful organization is continually learning and growing.			
Any other comments or information you wish to provide for Mayor and Council consideration: My family is invested in the long game for Snohomish. We can't expect to meaningfully impact a community overnight. My position on the committee is not available now, but that's okay with me. We will still live here and believe just as strongly in the wonderfully rewarding obligation of citizenship, when the next opportunity arises.			
Respectfully, Melissa Rossi			
Signature:*			
Melissa Rossi			
Date:			

\* indicates required fields.